

1 UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF NEW YORK

3 -----X

4 LETICIA FRANCINE STIDHUM,

5 Plaintiff,

6 -against-

CASE: 21-CV-07163

7 161-10 HILLSIDE AUTO AVE, LLC d/b/a HILLSIDE
8 AUTO OUTLET, and HILLSIDE AUTO MALL INC
9 d/b/a HILLSIDE AUTO MALL, ISHAQUE THANWALLA,
JORY BARON, RONALD M. BARON and ANDRIS GUZMAN,

10 Defendants.

11 -----X

12 March 09, 2023

13 10:08 A.M.

14
15 VIRTUAL EXAMINATION BEFORE TRIAL of
16 ANDRIS GUZMAN, via Zoom, a Defendant herein,
17 held at the above-mentioned time and taken
18 before Lynn Luckman, a Notary Public and
19 Shorthand Reporter within and for the State
20 of New York.

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22
23 SANDY SAUNDERS REPORTING
24 254 South Main Street, Suite 216
New City, New York 10956
25 (845) 634-7561

<p style="text-align: right;">Page 2</p> <p>1 A P P E A R A N C E S:</p> <p>2</p> <p>3</p> <p>4 TROY LAW, PLLC</p> <p>5 Attorneys for the Plaintiff</p> <p>6 41-25 Kissena Boulevard, Suite 103</p> <p>7 Flushing, New York 11355</p> <p>8 BY: Tiffany Troy, Esq.</p> <p>9</p> <p>10 MILMAN, LABUDA LAW GROUP, PLLC</p> <p>11 3000 Marcus Avenue, Suite 3W8</p> <p>12 Lake Success, New York 11042-1073</p> <p>13 BY: Emanuel Kataev, Esq</p> <p>14 emaanuel@milaborlaw.com</p> <p>15</p> <p>16 ALSO PRESENT: Deana Jennings, Leticia</p> <p>17 Stidhum and Ishaque Thanwalla (for one hour</p> <p>18 only).</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 3</p> <p>1 FEDERAL STIPULATIONS</p> <p>2</p> <p>3 IT IS HEREBY STIPULATED AND AGREED by</p> <p>4 and between counsel for the respective parties</p> <p>5 hereto that all objections except as to the</p> <p>6 form shall be reserved to the time of trial.</p> <p>7 IT IS FURTHER STIPULATED AND AGREED</p> <p>8 that the sealing and filing of this deposition</p> <p>9 shall be hereby waived.</p> <p>10 IT IS FURTHER STIPULATED AND AGREED</p> <p>11 that this examination may be sworn to by the</p> <p>12 witness being examined before a notary public</p> <p>13 other than the notary public before whom</p> <p>14 examination was begun examination was begun.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 4</p> <p>1 Andris Guzman</p> <p>2 BY THE COURT REPORTER:</p> <p>3 The attorneys participating</p> <p>4 in this deposition</p> <p>5 acknowledge that I am not</p> <p>6 physically present in the</p> <p>7 deposition room and that I</p> <p>8 will be reporting this</p> <p>9 deposition remotely. They</p> <p>10 further acknowledge that, in</p> <p>11 lieu of an oath administered</p> <p>12 in person, I will administer</p> <p>13 the oath remotely. The</p> <p>14 parties and their counsel</p> <p>15 consent to this arrangement</p> <p>16 and waive any objections to</p> <p>17 this manner of reporting.</p> <p>18 MS. TROY: I consent</p> <p>19 MR. KATAEV: So</p> <p>20 stipulated.</p> <p>21</p> <p>22 * * *</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 Andris Guzman</p> <p>2 A-N-D-R-I-S G-U-Z-M-A-N, a</p> <p>3 Defendant herein, after having been duly</p> <p>4 sworn by a Notary Public of the State of</p> <p>5 New York, was examined and testified as</p> <p>6 follows:</p> <p>7</p> <p>8 BY THE REPORTER:</p> <p>9 Q. Please state your full name</p> <p>10 for the record.</p> <p>11 A. Andris Guzman.</p> <p>12 Q. Please state your present</p> <p>13 address for the record.</p> <p>14 A. 161-10 Hillside Avenue</p> <p>15 Jamaica N.Y. 11432</p> <p>16 Home address is 1230 30th Drive</p> <p>17 Astoria, N.Y. 11102.</p> <p>18</p> <p>19 MS. TROY: We are</p> <p>20 going to for the record, we</p> <p>21 are going to pause the record</p> <p>22 and the witness is going to</p> <p>23 show his ID. Then we're</p> <p>24 going to mark that as Exhibit</p> <p>25 16.</p>

<p style="text-align: right;">Page 6</p> <p>1 Andris Guzman</p> <p>2 (Plaintiff's Exhibit 16</p> <p>3 deemed marked for</p> <p>4 identification)</p> <p>5 MS. TROY: The witness</p> <p>6 will show his ID as per the</p> <p>7 Judge's Order.</p> <p>8 (The witness complies and</p> <p>9 shows his ID).</p> <p>10 MS. TROY: That is fine.</p> <p>11 [Time noted is 10:10 a.m.]</p> <p>12 The recording is going back</p> <p>13 on now.</p> <p>14 EXAMINATION BY</p> <p>15 TIFFANY TROY:</p> <p>16 Q. Mr. Guzman, the address that you</p> <p>17 stated to the court reporter, is that your</p> <p>18 business address?</p> <p>19 A. I'm sorry?</p> <p>20 Q. Was the address that you stated</p> <p>21 your business address?</p> <p>22 MS. TROY: Emanuel, if you</p> <p>23 don't mind adjusting the</p> <p>24 volume so that we can hear.</p> <p>25 MR. KATAEV: I will put it</p>	<p style="text-align: right;">Page 7</p> <p>1 Andris Guzman</p> <p>2 all the way up.</p> <p>3 A. Yes, it is Hillside Auto Outlet.</p> <p>4 Q. Can you give me your residential</p> <p>5 address as well?</p> <p>6 A. Sure. 1230 30th Drive, Astoria,</p> <p>7 New York, 11102.</p> <p>8 Q. Have you ever been part of a</p> <p>9 deposition before?</p> <p>10 A. No.</p> <p>11 MR. KATAEV: Let's go off</p> <p>12 the record.</p> <p>13 (A discussion was held off</p> <p>14 the record)</p> <p>15 MR. KATAEV: Note for the</p> <p>16 record that the plaintiff is</p> <p>17 attending virtually.</p> <p>18 Q. In that case, I am going to</p> <p>19 explain what a deposition is and lay down</p> <p>20 some ground rules going forward; do you</p> <p>21 understand?</p> <p>22 A. Yes.</p> <p>23 Q. First, this deposition is for me</p> <p>24 to ask you questions and for you to answer</p> <p>25 my questions about the subject matter of</p>
<p style="text-align: right;">Page 8</p> <p>1 Andris Guzman</p> <p>2 this lawsuit; do you understand?</p> <p>3 A. Yes.</p> <p>4 Q. Specifically, we are talking</p> <p>5 about the pregnancy discrimination case</p> <p>6 today and my questions will be focused on</p> <p>7 the pregnancy discrimination case. Also,</p> <p>8 there is another separate wage rate and hour</p> <p>9 case, but that is separate, do you</p> <p>10 understand that?</p> <p>11 A. Yes.</p> <p>12 Q. Since the court reporter has to</p> <p>13 take down everything that you say, I ask</p> <p>14 that you give verbal responses, no shaking</p> <p>15 or nodding of your head and no gestures; do</p> <p>16 you understand that?</p> <p>17 A. Yes.</p> <p>18 Q. For the same reason, please</p> <p>19 speak clearly and loudly when you answer a</p> <p>20 question; do you understand?</p> <p>21 A. Yes.</p> <p>22 Q. The court stenographer can only</p> <p>23 write down when one person is speaking at a</p> <p>24 time. Therefore, please don't start</p> <p>25 answering one of my questions before I stop</p>	<p style="text-align: right;">Page 9</p> <p>1 Andris Guzman</p> <p>2 asking it. Likewise, I will not start a new</p> <p>3 question until you have finished answering</p> <p>4 my last question; do you understand that?</p> <p>5 A. Yes.</p> <p>6 Q. If you need a break, for</p> <p>7 example, to get a drink of water or to use</p> <p>8 the restroom, please feel free to tell me</p> <p>9 and I will call for a recess. However,</p> <p>10 there can be no break between one of my</p> <p>11 questions and your answer to that question;</p> <p>12 do you understand that?</p> <p>13 A. Yes.</p> <p>14 Q. From time to time, your attorney</p> <p>15 may make objections to my questions.</p> <p>16 Generally, however, unless your attorney</p> <p>17 tells you not to respond, you will still</p> <p>18 have to respond; do you understand that?</p> <p>19 A. Yes.</p> <p>20 Q. If you don't understand a</p> <p>21 question, tell me and I'll rephrase it so</p> <p>22 that you can. If you don't hear a question,</p> <p>23 tell me and I'll repeat it so that you do;</p> <p>24 do you understand that?</p> <p>25 A. Yes.</p>

<p style="text-align: right;">Page 10</p> <p>1 Andris Guzman</p> <p>2 Q. We are here today to gather</p> <p>3 facts and not speculation. If you don't</p> <p>4 know the answer to a question, say so; do</p> <p>5 you understand?</p> <p>6 A. Yes.</p> <p>7 Q. Do you understand that you have</p> <p>8 taken an oath to tell the truth?</p> <p>9 A. Yes.</p> <p>10 Q. Do you understand that your oath</p> <p>11 to tell the truth carries the same force and</p> <p>12 effect as if you were testifying in Court</p> <p>13 before a Judge?</p> <p>14 A. Yes.</p> <p>15 Q. Are you currently taking any</p> <p>16 medications that could prevent you from</p> <p>17 recalling the truth or testifying truthfully</p> <p>18 today?</p> <p>19 A. No medications.</p> <p>20 Q. How about any physical or</p> <p>21 emotional conditions, are you currently</p> <p>22 under any physical or emotional conditions</p> <p>23 that could prevent you from recalling the</p> <p>24 truth or testifying truthfully today?</p> <p>25 A. No, no such conditions.</p>	<p style="text-align: right;">Page 11</p> <p>1 Andris Guzman</p> <p>2 Q. Besides your attorney, did you</p> <p>3 speak with anyone in order to prepare for</p> <p>4 today's deposition?</p> <p>5 A. I spoke with my attorney.</p> <p>6 Q. Now, please listen to my</p> <p>7 question carefully. The question is:</p> <p>8 besides talking with your attorney, did you</p> <p>9 speak with anyone else in order to prepare</p> <p>10 for today's deposition?</p> <p>11 A. No.</p> <p>12 MR. KATAEV: The</p> <p>13 defendants object to the</p> <p>14 plaintiff appearing without</p> <p>15 going on the video. We are</p> <p>16 okay with the fact that she's</p> <p>17 on the video, but if she</p> <p>18 doesn't want to, then she has</p> <p>19 to leave.</p> <p>20 MS. TROY: The witness has</p> <p>21 a right to appear at the</p> <p>22 deposition. I am fine with</p> <p>23 her showing her face to</p> <p>24 verify that she is the only</p> <p>25 person in the room.</p>
<p style="text-align: right;">Page 12</p> <p>1 Andris Guzman</p> <p>2 MR. KATAEV: That is fine.</p> <p>3 MS. TROY: The witness is</p> <p>4 allowed to be present in the</p> <p>5 deposition.</p> <p>6 Are you telling me that</p> <p>7 you are asking her to leave</p> <p>8 even though she is the</p> <p>9 plaintiff?</p> <p>10 MR. KATAEV: We have asked</p> <p>11 her to leave only if she</p> <p>12 refuses to remain on the</p> <p>13 video for the duration of the</p> <p>14 deposition. She can remain</p> <p>15 on mute, but the video has to</p> <p>16 be on. Obviously, if she's</p> <p>17 not, if she is busy with</p> <p>18 something else and she has to</p> <p>19 step out, that is fine. But,</p> <p>20 the video has to remain on.</p> <p>21 MS. TROY: Ms. Stidhum,</p> <p>22 are you there? Can you just</p> <p>23 open your video feed and</p> <p>24 maybe just make sure that you</p> <p>25 are who you say you are. You</p>	<p style="text-align: right;">Page 13</p> <p>1 Andris Guzman</p> <p>2 can do that and then you can</p> <p>3 turn off the video.</p> <p>4 This can also be off the</p> <p>5 record.</p> <p>6 MR. KATAEV: On the</p> <p>7 record, while we are waiting</p> <p>8 for the plaintiff to join the</p> <p>9 video, we have Deana</p> <p>10 Jennings, the corporate</p> <p>11 representative joining us.</p> <p>12 Deana, if you can just</p> <p>13 identify yourself and keep</p> <p>14 the volume turned down. That</p> <p>15 would be great.</p> <p>16 MS. JENNINGS: That is</p> <p>17 fine.</p> <p>18 MR. KATAEV: We have a</p> <p>19 third party joining. Let the</p> <p>20 record reflect that Deana</p> <p>21 Jennings is joining us by</p> <p>22 video. We are now waiting</p> <p>23 for the plaintiff to join by</p> <p>24 video and then we can resume.</p> <p>25 Let's go off the record.</p>

<p style="text-align: right;">Page 14</p> <p>1 Andris Guzman</p> <p>2 (A discussion held was held</p> <p>3 off the record)</p> <p>4 Q. Let's go back on the record.</p> <p>5 MS. TROY: The time now is</p> <p>6 10:29 and the record should</p> <p>7 reflect the attendance of</p> <p>8 Deana Jennings, who is the</p> <p>9 corporate representative for</p> <p>10 the two corporate defendants.</p> <p>11 Ms. Jennings, I am</p> <p>12 just confirming that there</p> <p>13 was no one else in the room</p> <p>14 with you.</p> <p>15 MS. JENNINGS: No, no one</p> <p>16 else, just me.</p> <p>17 MS. TROY: Can you confirm</p> <p>18 that throughout the duration</p> <p>19 of this deposition, except</p> <p>20 during on break, that there</p> <p>21 will be no one else in the</p> <p>22 room with you, Ms. Jennings?</p> <p>23 MS. JENNINGS: Yes.</p> <p>24 MS. TROY: We are now</p> <p>25 ready to proceed.</p>	<p style="text-align: right;">Page 15</p> <p>1 Andris Guzman</p> <p>2 Q. Without telling me the contents</p> <p>3 of your communications, did you, yes or no,</p> <p>4 talk to your attorney to prepare for today's</p> <p>5 deposition.</p> <p>6 A. Yes.</p> <p>7 Q. Did you review any documents in</p> <p>8 preparation for today's deposition?</p> <p>9 A. Yes.</p> <p>10 Q. What were those documents, can</p> <p>11 you describe them for me?</p> <p>12 A. I don't remember specifically</p> <p>13 the details of it. But, I knew that it had</p> <p>14 to do--- had to do with the situation at</p> <p>15 hand.</p> <p>16 Q. Can you describe the type of</p> <p>17 documents even if you don't recall the</p> <p>18 specific details?</p> <p>19 A. Papers about the case.</p> <p>20 Q. "By papers about the case," do</p> <p>21 you mean the written documents that were</p> <p>22 exchanged between the parties?</p> <p>23 A. Yes.</p> <p>24 Q. Did you review any documents</p> <p>25 about the pay that Leticia Stidhum received?</p>
<p style="text-align: right;">Page 16</p> <p>1 Andris Guzman</p> <p>2 A. No.</p> <p>3 Q. How about the pay that other car</p> <p>4 salespeople received, did the documents that</p> <p>5 you reviewed include such documents?</p> <p>6 A. No.</p> <p>7 Q. Did the documents that you</p> <p>8 reviewed include any documents pertaining to</p> <p>9 the sales of Hillside Auto Outlet?</p> <p>10 A. No.</p> <p>11 Q. Did you review any text messages</p> <p>12 or phone records?</p> <p>13 A. At some point, yes.</p> <p>14 Q. Can you describe the text</p> <p>15 messages for me?</p> <p>16 A. I don't know how off the top of</p> <p>17 my head.</p> <p>18 Q. Do you recall who were the</p> <p>19 parties in the text messages; in other</p> <p>20 words, who sent text messages to whom in the</p> <p>21 text messages that you did review?</p> <p>22 A. Repeat the question for me,</p> <p>23 please.</p> <p>24 Q. Sure. You said that you don't</p> <p>25 know off the top of your head, you could not</p>	<p style="text-align: right;">Page 17</p> <p>1 Andris Guzman</p> <p>2 give a description of the text messages.</p> <p>3 I am now asking you: do you recall</p> <p>4 between which two people or which parties</p> <p>5 the text messages were sent to and from?</p> <p>6 A. I was checking to see if there</p> <p>7 was any communications to text messages,</p> <p>8 through text message.</p> <p>9 MR. KATAEV: The question</p> <p>10 was with whom, right Tiffany?</p> <p>11 Q. Specifically, did you have any</p> <p>12 communications, and let's start from the</p> <p>13 plaintiff; did you have any text message</p> <p>14 communications with Leticia?</p> <p>15 A. Before, yes, when I used to work</p> <p>16 at the dealership. I meant when I used to</p> <p>17 work at the dealership.</p> <p>18 Q. When did you stop working at the</p> <p>19 dealership?</p> <p>20 A. Few years ago.</p> <p>21 Q. Do you recall which year?</p> <p>22 A. In 2019.</p> <p>23 Q. Do you recall which month in</p> <p>24 2019?</p> <p>25 A. The summer, I believe, August, I</p>

<p style="text-align: right;">Page 18</p> <p>1 Andris Guzman</p> <p>2 would say.</p> <p>3 Q. Right after Hillside Auto, where</p> <p>4 did you work next?</p> <p>5 A. I worked at another dealership.</p> <p>6 Q. What was the name of that</p> <p>7 dealership?</p> <p>8 A. That was on Long Island, New</p> <p>9 York Off Lease.</p> <p>10 Q. After New York Off Lease, where</p> <p>11 did you work next?</p> <p>12 A. Victory Mitsubishi.</p> <p>13 Q. Do you recall what year and what</p> <p>14 month you started working at Victory</p> <p>15 Mitsubishi?</p> <p>16 A. It was around September of 2020.</p> <p>17 Q. After Victory Mitsubishi, did</p> <p>18 you work anywhere else?</p> <p>19 A. No.</p> <p>20 Q. Let's turn back to the text</p> <p>21 messages between you and Leticia. You said</p> <p>22 that you checked if there were any text</p> <p>23 messages; did you find any?</p> <p>24 A. Yes, we did communicate through</p> <p>25 text.</p>	<p style="text-align: right;">Page 19</p> <p>1 Andris Guzman</p> <p>2 Q. Have you produced those text</p> <p>3 messages to your attorney?</p> <p>4 A. Repeat the question.</p> <p>5 Q. Have you sent over those text</p> <p>6 messages to your attorney?</p> <p>7 A. Yes, I did show him.</p> <p>8 MR. KATAEV: The</p> <p>9 defendants will be producing</p> <p>10 those messages shortly.</p> <p>11 Q. When did you show those text</p> <p>12 messages to your attorney?</p> <p>13 A. While -- I don't remember the</p> <p>14 exact time.</p> <p>15 Q. Was it this year, last year, or</p> <p>16 a few years ago?</p> <p>17 A. This year, I believe.</p> <p>18 Q. Do you recall which month of</p> <p>19 this year you showed the text messages to</p> <p>20 your attorney?</p> <p>21 A. I don't recall if it was January</p> <p>22 or February. I don't have the exact time</p> <p>23 and date exactly.</p> <p>24 Q. Do you know who the defendants</p> <p>25 are in this case, Mr. Guzman?</p>
<p style="text-align: right;">Page 20</p> <p>1 Andris Guzman</p> <p>2 A. Yes, I have an idea.</p> <p>3 Q. Besides your text messages with</p> <p>4 Leticia Stidhum, the plaintiff, did you ever</p> <p>5 have any text messages with any of the</p> <p>6 defendants?</p> <p>7 A. With any other defendants,</p> <p>8 meaning --</p> <p>9 MS. TROY: May the record</p> <p>10 reflect that Mr. Kataev is</p> <p>11 muted and somebody is on the</p> <p>12 video and I don't know --</p> <p>13 MR. KATAEV: I moved my</p> <p>14 screen over to the right so</p> <p>15 that he could look at it.</p> <p>16 Q. What was your response?</p> <p>17 A. Repeat the question.</p> <p>18 Q. It was a very simple question,</p> <p>19 the question is; did you text with any of</p> <p>20 the other defendants?</p> <p>21 MR. KATAEV: About</p> <p>22 anything?</p> <p>23 MS. TROY: When you were</p> <p>24 working at Hillside Auto.</p> <p>25 MR. KATAEV: About</p>	<p style="text-align: right;">Page 21</p> <p>1 Andris Guzman</p> <p>2 anything?</p> <p>3 Q. Let's start from anything, and</p> <p>4 then we will narrow it down.</p> <p>5 A. Okay. I mean I used to work,</p> <p>6 absolutely, and we all communicated.</p> <p>7 Q. By text message?</p> <p>8 A. Calls or texts.</p> <p>9 Q. Did some of the text messages</p> <p>10 concern Leticia Stidhum?</p> <p>11 A. I don't recall, it was awhile</p> <p>12 back.</p> <p>13 Q. When you were talking about how</p> <p>14 you were checking to see if there were any</p> <p>15 communications through text messages, did</p> <p>16 you check to see if you had any text</p> <p>17 messages, and let's start for instance, with</p> <p>18 Ishaque Thanwalla?</p> <p>19 A. No. I just checked through, I</p> <p>20 checked hers and I saw that the information</p> <p>21 about her, she was the first person that was</p> <p>22 being involved. I didn't check anybody</p> <p>23 else's.</p> <p>24 MS. TROY: Let's go off</p> <p>25 the record.</p>

<p style="text-align: right;">Page 22</p> <p>1 Andris Guzman</p> <p>2 (A discussion was held off</p> <p>3 the record)</p> <p>4 MS. TROY: Let's mark this</p> <p>5 as Demand Number 9. And I</p> <p>6 will get to that in a moment.</p> <p>7 Q. Mr. Guzman, what is your phone</p> <p>8 number?</p> <p>9 A. What is my phone number?</p> <p>10 Q. Yes, correct.</p> <p>11 A. You want the exact numbers?</p> <p>12 Q. Correct.</p> <p>13 A. 347 749-0633.</p> <p>14 Q. Who is your service provider?</p> <p>15 MR. KATAEV: Objection as</p> <p>16 to relevance. You can</p> <p>17 answer.</p> <p>18 MS. TROY: Emanuel, you're</p> <p>19 going to have to figure out</p> <p>20 your sound situation.</p> <p>21 MR. KATAEV: I said</p> <p>22 "objection as to relevance</p> <p>23 but, you may answer."</p> <p>24 I just moved the</p> <p>25 microphone maybe that will be</p>	<p style="text-align: right;">Page 23</p> <p>1 Andris Guzman</p> <p>2 better.</p> <p>3 Q. Please answer the question, who</p> <p>4 is your service provider?</p> <p>5 A. I believe is T-Mobile.</p> <p>6 Q. Did you have the same phone from</p> <p>7 2018 until the present day, the same phone</p> <p>8 number?</p> <p>9 A. Yes.</p> <p>10 Q. What type of phone is it, do you</p> <p>11 have an iPhone?</p> <p>12 MR. KATAEV: Objection to</p> <p>13 the form of the previous</p> <p>14 question. You can answer the</p> <p>15 question.</p> <p>16 A. iPhone.</p> <p>17 Q. Did you use the iPhone from 2018</p> <p>18 to the present day with a different iPhone</p> <p>19 but it was an iPhone?</p> <p>20 A. Did I have different phones?</p> <p>21 Q. Yes.</p> <p>22 A. Yes, I did have different</p> <p>23 phones.</p> <p>24 Q. Were the different phones all</p> <p>25 iPhones?</p>
<p style="text-align: right;">Page 24</p> <p>1 Andris Guzman</p> <p>2 A. Yes.</p> <p>3 Q. During your time at Hillside</p> <p>4 Auto Outlet, are you familiar with Deana</p> <p>5 Jennings, the individual who is on the</p> <p>6 screen?</p> <p>7 A. Yes.</p> <p>8 Q. During this time, were there</p> <p>9 ever times when you would text with her?</p> <p>10 A. I don't recall. I don't</p> <p>11 remember.</p> <p>12 Q. During your time working at</p> <p>13 Hillside Auto, were there times that you</p> <p>14 would text with Ishaque?</p> <p>15 A. Yes.</p> <p>16 Q. How about Jory Baron?</p> <p>17 A. I don't recall.</p> <p>18 MS. TROY: Emanuel, when</p> <p>19 will you be producing the</p> <p>20 text messages between Andris</p> <p>21 Guzman and Leticia Stidhum?</p> <p>22 MR. KATAEV: Right this</p> <p>23 second, actually.</p> <p>24 Let the record reflect</p> <p>25 that the defendants have</p>	<p style="text-align: right;">Page 25</p> <p>1 Andris Guzman</p> <p>2 produced the text messages</p> <p>3 between the witness and/or</p> <p>4 the plaintiff, as well as the</p> <p>5 conversation including the</p> <p>6 witness and plaintiff and</p> <p>7 other employees.</p> <p>8 Let the record also</p> <p>9 reflect that the defendants</p> <p>10 produced voluntarily to the</p> <p>11 plaintiff the text messages</p> <p>12 between the plaintiff and the</p> <p>13 witness, as well as a group</p> <p>14 text message between the</p> <p>15 witness and the plaintiff and</p> <p>16 other individuals at the</p> <p>17 dealership. I have sent it</p> <p>18 to you by email.</p> <p>19 Q. Mr. Guzman, do you have your</p> <p>20 phone on you or near you?</p> <p>21 A. No.</p> <p>22 Q. Where is your iPhone?</p> <p>23 A. I actually forgot it on my way</p> <p>24 here.</p> <p>25 Q. By "forgot it on my way here,"</p>

<p style="text-align: right;">Page 26</p> <p>1 Andris Guzman</p> <p>2 what do you mean?</p> <p>3 A. I was running because I thought</p> <p>4 I was going to be late. So, I forgot it at</p> <p>5 the house when I left.</p> <p>6 Q. Did someone instruct you to</p> <p>7 leave your phone at home?</p> <p>8 MR. KATAEV: Objection to</p> <p>9 the form. That is</p> <p>10 attorney/client privilege.</p> <p>11 To the extent that any such</p> <p>12 conversations were held</p> <p>13 between yourself and myself,</p> <p>14 I instruct you not to answer</p> <p>15 that question.</p> <p>16 Q. Mr. Guzman, do you understand</p> <p>17 that you are under oath to tell the truth;</p> <p>18 is that correct?</p> <p>19 A. Correct.</p> <p>20 Q. When you said that you "forgot</p> <p>21 it," on your way here, is that true?</p> <p>22 A. Yes.</p> <p>23 MR. KATAEV: Objection.</p> <p>24 Asked and answered. Please</p> <p>25 move on.</p>	<p style="text-align: right;">Page 27</p> <p>1 Andris Guzman</p> <p>2 Q. Did you intentionally leave your</p> <p>3 phone at your home?</p> <p>4 MR. KATAEV: Objection.</p> <p>5 You are harassing the witness</p> <p>6 and I instruct the witness</p> <p>7 not to answer the question.</p> <p>8 MS. TROY: On what basis?</p> <p>9 MR. KATAEV: You can call</p> <p>10 the Judge. Stop harassing</p> <p>11 the witness.</p> <p>12 Q. Do you know the answer to my</p> <p>13 question?</p> <p>14 MR. KATAEV: Objection.</p> <p>15 You are harassing the</p> <p>16 witness, and --</p> <p>17 MS. TROY: Harassing the</p> <p>18 witness is not a valid</p> <p>19 objection.</p> <p>20 MR. KATAEV: Yes, it is</p> <p>21 under rule 30. Do you want</p> <p>22 me to point to the specific</p> <p>23 provision? He answered your</p> <p>24 question. Move on or call the</p> <p>25 Judge. I am instructing him</p>
<p style="text-align: right;">Page 28</p> <p>1 Andris Guzman</p> <p>2 not to answer.</p> <p>3 MS. TROY: We will call</p> <p>4 the Judge.</p> <p>5 MR. KATAEV: That is fine.</p> <p>6 Let the record also reflect</p> <p>7 that the defendant Mr.</p> <p>8 Thanwalla, will be leaving at</p> <p>9 10:43 a.m.</p> <p>10 (Mr. Thanwalla left the</p> <p>11 deposition)</p> <p>12 (A call was made to the Judge</p> <p>13 at 10:43 a.m.)</p> <p>14 MS. TROY: I will put this</p> <p>15 on the speaker.</p> <p>16 (Ms. Troy complies)</p> <p>17 "MS. TROY: Good morning,</p> <p>18 this is Tiffany Troy, Your</p> <p>19 Honor. I have Lynn Luckman,</p> <p>20 the court reporter with me</p> <p>21 and Mr. Kataev and his</p> <p>22 witness, Andris Guzman. We</p> <p>23 are doing a deposition right</p> <p>24 now and he has instructed his</p> <p>25 witness not to answer a</p>	<p style="text-align: right;">Page 29</p> <p>1 Andris Guzman</p> <p>2 question on the basis of</p> <p>3 harassing the witness. I</p> <p>4 told him that that was not a</p> <p>5 valid objection and that he</p> <p>6 needed to respond. He then</p> <p>7 directed his client not to</p> <p>8 respond.</p> <p>9 THE COURT: I'm going to</p> <p>10 put you on hold for a moment.</p> <p>11 MS. TROY: To the</p> <p>12 reporter, if you don't mind</p> <p>13 taking this all down, again,</p> <p>14 we're just going to need to</p> <p>15 ask the Judge for her</p> <p>16 permission. If you don't</p> <p>17 mind, please do me a favor,</p> <p>18 Lynn and read back the last</p> <p>19 question before all of the</p> <p>20 colloquy.</p> <p>21 (The court reporter</p> <p>22 complies).</p> <p>23 Please note for the record</p> <p>24 that it is now 10:46. And</p> <p>25 then it goes to 10:49 and</p>

<p style="text-align: right;">Page 30</p> <p>1 Andris Guzman</p> <p>2 that we are on the record</p> <p>3 waiting for the Judge.</p> <p>4 THE CLERK: I'm going to</p> <p>5 give you the number and the</p> <p>6 code to get on the line.</p> <p>7 MS. TROY: What I'm going</p> <p>8 to do is that, I'm going to</p> <p>9 dial and we will just be on</p> <p>10 speakerphone.</p> <p>11 MR. KATAEV: I'm just</p> <p>12 going to mute myself here,</p> <p>13 and I'm just going to be on</p> <p>14 the phone.</p> <p>15 MS. TROY: That should be</p> <p>16 fine. You will hear it on</p> <p>17 the speaker?</p> <p>18 MR. KATAEV: On the phone,</p> <p>19 yes. I'm going to mute</p> <p>20 myself on the computer in</p> <p>21 terms of that you are no</p> <p>22 longer going to be able to</p> <p>23 hear me. I'm going to mute</p> <p>24 my sound so that I don't hear</p> <p>25 you guys.</p>	<p style="text-align: right;">Page 31</p> <p>1 Andris Guzman</p> <p>2 MS. TROY: Let's go off</p> <p>3 the record.</p> <p>4 (A discussion was held off</p> <p>5 the record)</p> <p>6 MS. TROY: Again, Your</p> <p>7 Honor, we have the court</p> <p>8 reporter, Ms. Lynn Luckman on</p> <p>9 the call and she will be</p> <p>10 taking down what is being</p> <p>11 said.</p> <p>12 THE COURT: That is fine.</p> <p>13 I'm still recording this and</p> <p>14 I'm going to start the sound,</p> <p>15 and my clerk will note your</p> <p>16 appearances.</p> <p>17 I will tell you that</p> <p>18 this cannot keep happening.</p> <p>19 You are coming to me with</p> <p>20 other -- other cases were</p> <p>21 scheduled, and I will tell</p> <p>22 you now, this is not going to</p> <p>23 get you any bonus points</p> <p>24 calling in every week from a</p> <p>25 deposition, okay? You're</p>
<p style="text-align: right;">Page 32</p> <p>1 Andris Guzman</p> <p>2 going to have to figure out</p> <p>3 how to deal with one another.</p> <p>4 Just to let you know that</p> <p>5 this is being recorded.</p> <p>6 Please tell me the name of</p> <p>7 the case and state your name</p> <p>8 for the record.</p> <p>9 MS. TROY: Your Honor,</p> <p>10 this is Tiffany Troy calling</p> <p>11 from Troy Law. This is case</p> <p>12 21-CV-07163.</p> <p>13 THE COURT: I am just</p> <p>14 going to tell you Ms. Troy</p> <p>15 and Mr. Kataev, let the</p> <p>16 record reflect that this</p> <p>17 is not a scheduled</p> <p>18 conference. This matter</p> <p>19 is something that I have</p> <p>20 been contacted about</p> <p>21 previously, regarding</p> <p>22 previous matters in this</p> <p>23 deposition. The attorneys</p> <p>24 have not been able to</p> <p>25 resolve their disputes.</p>	<p style="text-align: right;">Page 33</p> <p>1 Andris Guzman</p> <p>2 Before we went on the</p> <p>3 record, I did note that</p> <p>4 this happened last week,</p> <p>5 and that again, to have</p> <p>6 brought a dispute the</p> <p>7 following week definitely</p> <p>8 is not scheduled and is</p> <p>9 unacceptable. I am not</p> <p>10 going to continue to</p> <p>11 babysit two attorneys who</p> <p>12 can not get their business</p> <p>13 done.</p> <p>14 Ms. Troy and Mr.</p> <p>15 Kataev, that is without being</p> <p>16 told whose deposition it is</p> <p>17 or what the problem is. So,</p> <p>18 who wants to put on the</p> <p>19 record why I am being</p> <p>20 contacted today?</p> <p>21 MS. TROY: I would like to</p> <p>22 put on the record that this</p> <p>23 is plaintiff's attorney</p> <p>24 speaking. We have Andris</p> <p>25 Guzman as the witness today</p>

<p style="text-align: right;">Page 34</p> <p>1 Andris Guzman</p> <p>2 at plaintiff's deposition of</p> <p>3 the defendant. Andris Guzman</p> <p>4 is on his phone and he has</p> <p>5 text messages with Leticia</p> <p>6 Stidhum, the plaintiff as</p> <p>7 well as an issue, and not</p> <p>8 withstanding that as well as</p> <p>9 potentially other defendants</p> <p>10 including text messages that</p> <p>11 cover the period in question.</p> <p>12 He testified that he left his</p> <p>13 phone at home. I asked him</p> <p>14 why and he said "I forgot</p> <p>15 it." He stated that he</p> <p>16 thought he was going to be</p> <p>17 late and he said, "I forgot</p> <p>18 it at the house."</p> <p>19 I asked him if someone</p> <p>20 told him to leave it at home,</p> <p>21 and Emanuel interposed an</p> <p>22 objection based on</p> <p>23 attorney/client privilege to</p> <p>24 the extent that there is any</p> <p>25 such communications between</p>	<p style="text-align: right;">Page 35</p> <p>1 Andris Guzman</p> <p>2 himself and his client, and</p> <p>3 he instructed the witness not</p> <p>4 to answer.</p> <p>5 Then, I asked if he said</p> <p>6 that he forgot it and he</p> <p>7 answered "yes." I then asked</p> <p>8 him "did you intentionally</p> <p>9 leave your phone at your</p> <p>10 home?" Then Mr. Kataev again</p> <p>11 objected and instructed the</p> <p>12 witness not to answer the</p> <p>13 question.</p> <p>14 I would just like to note</p> <p>15 as well that in the previous</p> <p>16 week with Jory Baron, the</p> <p>17 witness also testified that</p> <p>18 he forgot his phone at home</p> <p>19 and that the phone contained</p> <p>20 text messages that included -</p> <p>21 -</p> <p>22 THE COURT: We can get the</p> <p>23 business accomplished. When</p> <p>24 you were making your</p> <p>25 Discovery demands of the</p>
<p style="text-align: right;">Page 36</p> <p>1 Andris Guzman</p> <p>2 defendants, did you request</p> <p>3 any emails or text messages?</p> <p>4 MS. TROY: Yes, Your</p> <p>5 Honor.</p> <p>6 THE COURT: Were they</p> <p>7 produced?</p> <p>8 MS. TROY: No. What</p> <p>9 happened, Your Honor, was</p> <p>10 that during the deposition of</p> <p>11 Ishaque Thanwalla, Mr.</p> <p>12 Thanwalla testified that he</p> <p>13 had text messages and that is</p> <p>14 when the defendant produced</p> <p>15 the texts messages between</p> <p>16 Leticia and Thanwalla.</p> <p>17 Then, last week during</p> <p>18 the deposition of Jory Baron,</p> <p>19 Mr. Baron testified in fact</p> <p>20 that he had text messages</p> <p>21 with Leticia. Then, when the</p> <p>22 defendants produced his text</p> <p>23 messages with Leticia again</p> <p>24 today, it's the same issue,</p> <p>25 which is that I asked the</p>	<p style="text-align: right;">Page 37</p> <p>1 Andris Guzman</p> <p>2 question "are there any other</p> <p>3 text messages," and then were</p> <p>4 any produced, and I think he</p> <p>5 said in January or February.</p> <p>6 Then Mr. Kataev again just</p> <p>7 turned over the text messages</p> <p>8 between Mr. Guzman and</p> <p>9 Leticia today during the</p> <p>10 deposition.</p> <p>11 THE COURT: Stop talking.</p> <p>12 Enough. I got the picture.</p> <p>13 Mr. Kataev, you're going to</p> <p>14 subject your client to</p> <p>15 multiple depositions here by</p> <p>16 not turning over these text</p> <p>17 messages before the</p> <p>18 deposition. Why is that</p> <p>19 going to be a good use of an</p> <p>20 anyone's time or --</p> <p>21 MR. KATAEV: That is not</p> <p>22 accurate. Multiple</p> <p>23 representations seem to be --</p> <p>24 THE COURT: I want you to</p> <p>25 answer my question. Did your</p>

<p style="text-align: right;">Page 38</p> <p>1 Andris Guzman</p> <p>2 client turn over their text</p> <p>3 messages?</p> <p>4 MR. KATAEV: Yes, they</p> <p>5 did. And there are no</p> <p>6 requests I have no document</p> <p>7 requests.</p> <p>8 THE COURT: Mr. Kataev, I</p> <p>9 don't have the document</p> <p>10 request in front of me.</p> <p>11 Certainly Ms. Troy is</p> <p>12 entitled to any text messages</p> <p>13 for the relevant time period.</p> <p>14 MR. KATAEV: I --</p> <p>15 THE COURT: Mr. Kataev, I</p> <p>16 am tired of being interrupted</p> <p>17 by you.</p> <p>18 MR. KATAEV: I apologize.</p> <p>19 THE COURT: So, the</p> <p>20 dispute right now, as I</p> <p>21 understand from Ms. Troy,</p> <p>22 that we just went over Mr.</p> <p>23 Guzman and she spoke about</p> <p>24 it, but she said Mr. Guzman</p> <p>25 left his phone at home and</p>	<p style="text-align: right;">Page 39</p> <p>1 Andris Guzman</p> <p>2 that he said that there are</p> <p>3 text messages on that phone</p> <p>4 that relate to this case. Is</p> <p>5 that something that you are</p> <p>6 contesting, Mr. Kataev?</p> <p>7 MR. KATAEV: Not exactly</p> <p>8 Your Honor, I provided --</p> <p>9 THE COURT: What do you</p> <p>10 mean by "not exactly?" Is it</p> <p>11 yes or no?</p> <p>12 MR. KATEV: I'm trying to</p> <p>13 answer your question. Please</p> <p>14 allow me to.</p> <p>15 THE COURT: I am getting</p> <p>16 very close to saying that I'm</p> <p>17 not going to accept your</p> <p>18 representation; do you</p> <p>19 understand that?</p> <p>20 MR. KATAEV: I understand</p> <p>21 that.</p> <p>22 THE COURT: Mr. Kataev, I</p> <p>23 asked whether or not he has</p> <p>24 text messages on his phone.</p> <p>25 Please answer me, and if the</p>
<p style="text-align: right;">Page 40</p> <p>1 Andris Guzman</p> <p>2 answer is that he did not --</p> <p>3 MR. KATAEV: He answered</p> <p>4 yes. They have been produced</p> <p>5 between himself and the</p> <p>6 plaintiff, and that he has</p> <p>7 voluntarily produced the</p> <p>8 group text messages,</p> <p>9 including the plaintiff's</p> <p>10 witness and other witnesses.</p> <p>11 She asked, "do you have text</p> <p>12 messages, for example, with</p> <p>13 Ishaque?" He said --</p> <p>14 THE COURT: Mr. Kataev --</p> <p>15 MR. KATAEV: Your Honor,</p> <p>16 may I please finish what I am</p> <p>17 saying? I am done</p> <p>18 interrupting you though, but</p> <p>19 can I finish?</p> <p>20 THE COURT: Go ahead Mr.</p> <p>21 Kataev.</p> <p>22 MR. KATAEV: While the</p> <p>23 issue was that he was asked</p> <p>24 "did you ever have any text</p> <p>25 messages?" And he said "yes."</p>	<p style="text-align: right;">Page 41</p> <p>1 Andris Guzman</p> <p>2 She did not ask "did you ever</p> <p>3 have any text messages</p> <p>4 provided --</p> <p>5 MS. TROY: I did.</p> <p>6 THE COURT: Mr. Kataev,</p> <p>7 did not interrupt you. Do</p> <p>8 not interrupt him.</p> <p>9 MR. KATAEV: I believe the</p> <p>10 fastest way to do this is to</p> <p>11 have the court reporter read</p> <p>12 the record --</p> <p>13 THE COURT: I am not going</p> <p>14 to do that, that is</p> <p>15 babysitting two attorneys who</p> <p>16 cannot get along.</p> <p>17 I am not going to indulge</p> <p>18 the fact that he left the</p> <p>19 phone at his home. You were</p> <p>20 saying all of his text</p> <p>21 messages were produced. We</p> <p>22 are going to have to have</p> <p>23 that in writing, and I'm</p> <p>24 going to resolve it on what</p> <p>25 the question and answers</p>

<p style="text-align: right;">Page 42</p> <p>1 Andris Guzman</p> <p>2 were.</p> <p>3 As far as asking Mr.</p> <p>4 Guzman, Ms. Troy, whether or</p> <p>5 not he left it at home on</p> <p>6 purpose or he left it at home</p> <p>7 because he was told to,</p> <p>8 please leave that aside. I</p> <p>9 really don't care as long as</p> <p>10 you get the information that</p> <p>11 you need to get this case</p> <p>12 litigated.</p> <p>13 As far as what the</p> <p>14 objection was about</p> <p>15 attorney/client privilege, I</p> <p>16 told you that we are on a</p> <p>17 guideline on both sides of</p> <p>18 this case of overdoing</p> <p>19 everything. I can't imagine,</p> <p>20 I really can't imagine Mr.</p> <p>21 Kataev that you told your</p> <p>22 client to leave their phone</p> <p>23 at home. If you did, I will</p> <p>24 tell you that that is not a</p> <p>25 good idea. If every</p>	<p style="text-align: right;">Page 43</p> <p>1 Andris Guzman</p> <p>2 defendant that is called for</p> <p>3 a deposition left their phone</p> <p>4 at home on the day of the</p> <p>5 deposition, that would be</p> <p>6 something that would concern</p> <p>7 the Court. Do you understand</p> <p>8 me, Mr kataev?</p> <p>9 MR. KATAEV: Your Honor, I</p> <p>10 understand. That is not --</p> <p>11 THE COURT: Mr. Kataev, do</p> <p>12 you understand that I have</p> <p>13 other cases and that this</p> <p>14 sort of dispute should not be</p> <p>15 put to the Court?</p> <p>16 MR. KATAEV: I do</p> <p>17 understand, but I did not --</p> <p>18 THE COURT: Do you</p> <p>19 understand that part of this</p> <p>20 is because again, that you</p> <p>21 are telling me that he</p> <p>22 produced all of his text</p> <p>23 messages that have anything</p> <p>24 to do with Ms. Stidhum, and</p> <p>25 you're going to be held to</p>
<p style="text-align: right;">Page 44</p> <p>1 Andris Guzman</p> <p>2 that, is that your</p> <p>3 representation?</p> <p>4 MR. KATAEV: Yes, no --</p> <p>5 THE COURT: Ms. Troy, is</p> <p>6 there anything, are there any</p> <p>7 text messages that they</p> <p>8 supplied to you but they</p> <p>9 don't have to stipulate</p> <p>10 between the defendant that</p> <p>11 doesn't concern Ms. Stidhum,</p> <p>12 what is your issue with that?</p> <p>13 MS. TROY: I agree with</p> <p>14 that.</p> <p>15 THE COURT: What are we</p> <p>16 going to do today? Do you</p> <p>17 want me to instruct Mr.</p> <p>18 Guzman to return home to get</p> <p>19 his phone so that you can</p> <p>20 then look at his text</p> <p>21 messages? Do you want me to</p> <p>22 ask him if he has the text</p> <p>23 messages that they say they</p> <p>24 produced to him, and you can</p> <p>25 ask whether there are any</p>	<p style="text-align: right;">Page 45</p> <p>1 Andris Guzman</p> <p>2 additional text messages that</p> <p>3 have not been produced. If</p> <p>4 there are, you can make a</p> <p>5 Motion to compel where they</p> <p>6 should turn them over, and</p> <p>7 you will have what you need</p> <p>8 for a second deposition. I</p> <p>9 will consider that.</p> <p>10 MS. TROY: Understood. We</p> <p>11 will do the latter option.</p> <p>12 THE COURT: The latter</p> <p>13 option? You're going to ask</p> <p>14 him whether he turned over</p> <p>15 all the text messages that</p> <p>16 concern Ms. Stidhum?</p> <p>17 MS. TROY: Yes.</p> <p>18 THE COURT: I will stay on</p> <p>19 the line while you ask the</p> <p>20 question so that I do not get</p> <p>21 a call back.</p> <p>22 MS. TROY: Understood,</p> <p>23 Your Honor.</p> <p>24 THE COURT: Now, you can</p> <p>25 go back on the record Ms.</p>

<p style="text-align: right;">Page 46</p> <p>1 Andris Guzman</p> <p>2 Court reporter.’’</p> <p>3 Q. Mr. Guzman, are you here?</p> <p>4 A. Yes, I am here.</p> <p>5 Q. Besides the text messages</p> <p>6 between you and Ms. Stidhum, as well as the</p> <p>7 group message that your attorney just</p> <p>8 emailed to me 30 minutes ago, are there any</p> <p>9 other additional text messages, meaning</p> <p>10 between yourself as well as the defendant</p> <p>11 that concern Ms. Stidhum's employment at</p> <p>12 Hillside Auto Outlet?</p> <p>13 A. No additional text messages.</p> <p>14 “THE COURT: Is there</p> <p>15 anything else that you need</p> <p>16 to ask while I am on the</p> <p>17 record, on the line Ms. Troy?</p> <p>18 MS. TROY: No, Your Honor.</p> <p>19 Thank you for your time.</p> <p>20 THE COURT: Mr. Kataev, I</p> <p>21 will tell you if any other</p> <p>22 witnesses of yours forget</p> <p>23 their phone, I will not be</p> <p>24 pleased to receive a phone</p> <p>25 call; do you understand?</p>	<p style="text-align: right;">Page 47</p> <p>1 Andris Guzman</p> <p>2 MR. KATAEV: I just want</p> <p>3 to put one quick thing on the</p> <p>4 record, Your Honor.</p> <p>5 THE COURT: Yes.</p> <p>6 MR. KATAEV: All of the</p> <p>7 questions that were asked of</p> <p>8 my witness were answered.</p> <p>9 When the witness said that he</p> <p>10 left his phone at home,</p> <p>11 plaintiff's counsel reminded</p> <p>12 him that he is under oath and</p> <p>13 started to badger and harass</p> <p>14 him.</p> <p>15 THE COURT: Oh, please,</p> <p>16 Mr. Kataev.</p> <p>17 Look in the mirror when</p> <p>18 you talk about badgering, the</p> <p>19 two of you have to get along.</p> <p>20 How many times do I have to</p> <p>21 say it? I don't have time</p> <p>22 for lawyers that make</p> <p>23 themselves the center of the</p> <p>24 litigation. Do I need to say</p> <p>25 it to you again?</p>
<p style="text-align: right;">Page 48</p> <p>1 Andris Guzman</p> <p>2 MR. KATAEV: No. I'm just</p> <p>3 representing on the record</p> <p>4 that there was badgering of</p> <p>5 the witness and it was</p> <p>6 completely without any</p> <p>7 authority.</p> <p>8 THE COURT: That's great</p> <p>9 to hear that Mr. Kataev. I</p> <p>10 was in a conference when I</p> <p>11 was interrupted with this</p> <p>12 call. I was on another case</p> <p>13 and I don't have to speak to</p> <p>14 you about the other partners</p> <p>15 at your firm.</p> <p>16 I am not asking, I'm</p> <p>17 not saying it's your fault.</p> <p>18 I'm saying that the toxic mix</p> <p>19 of you and Ms. Troy is more</p> <p>20 than the Court can bear. It</p> <p>21 is not a good use of</p> <p>22 resources for the Court to</p> <p>23 get these calls about these</p> <p>24 issues. The parties should</p> <p>25 be able to resolve these</p>	<p style="text-align: right;">Page 49</p> <p>1 Andris Guzman</p> <p>2 issues. Ms. Troy, do you</p> <p>3 understand?</p> <p>4 MS. TROY: Yes, Your</p> <p>5 Honor. I understand.</p> <p>6 THE COURT: Mr. Kataev, do</p> <p>7 you understand?</p> <p>8 MR. KATAEV: Yes, Your</p> <p>9 honor.</p> <p>10 THE COURT: This</p> <p>11 deposition shall proceed.</p> <p>12 Thank you. This matter is</p> <p>13 now adjourned. Please note</p> <p>14 for the record that it is now</p> <p>15 11:22 a.m.’’</p> <p>16 Q. Mr. Guzman, during the break,</p> <p>17 did you discuss your testimony with your</p> <p>18 attorney; yes or no?</p> <p>19 A. No.</p> <p>20 Q. Have you ever been a party to</p> <p>21 any civil proceeding?</p> <p>22 A. Explain.</p> <p>23 Q. Besides this case, were you a</p> <p>24 plaintiff or a defendant in any other case?</p> <p>25 A. Does a divorce count? I don't</p>

<p style="text-align: right;">Page 50</p> <p>1 Andris Guzman</p> <p>2 know. That's as close as I think --</p> <p>3 Q. Besides the divorce, have you</p> <p>4 ever been a party to any other civil</p> <p>5 proceeding?</p> <p>6 A. Not that I remember.</p> <p>7 Q. Have you ever been arrested</p> <p>8 before?</p> <p>9 A. No.</p> <p>10 Q. When did you start working for</p> <p>11 Hillside Auto?</p> <p>12 A. Beginning of 2018, I think.</p> <p>13 Q. Do you recall which month?</p> <p>14 A. The beginning of the year.</p> <p>15 Q. Besides the address that you</p> <p>16 gave at the beginning of this deposition,</p> <p>17 have you lived anywhere else in the past 5</p> <p>18 years?</p> <p>19 A. No. That has been my address.</p> <p>20 Q. What is your highest level of</p> <p>21 education?</p> <p>22 A. Some college, I did go to the</p> <p>23 college.</p> <p>24 Q. What was your position at</p> <p>25 Hillside Auto when you began in 2018?</p>	<p style="text-align: right;">Page 51</p> <p>1 Andris Guzman</p> <p>2 A. Do you mean Hillside Auto</p> <p>3 Outlet?</p> <p>4 Q. Right. What was your position</p> <p>5 there?</p> <p>6 A. Sales manager.</p> <p>7 Q. Did your position ever change</p> <p>8 from the time you began working until the</p> <p>9 end date, until the end of your employment</p> <p>10 at Hillside Auto?</p> <p>11 A. I began as the sales manager,</p> <p>12 then got promoted to general sales manager.</p> <p>13 Q. When were you promoted?</p> <p>14 A. It's been a few years, I'm</p> <p>15 trying to remember -- I think it's towards</p> <p>16 the end of the summer, I will say of the</p> <p>17 same year, 2018.</p> <p>18 Q. What were your responsibilities</p> <p>19 as the sales manager?</p> <p>20 A. What was my responsibilities? Is</p> <p>21 that the question?</p> <p>22 Q. Yes.</p> <p>23 A. I was making sure that I was in</p> <p>24 charge of the sales that were being made at</p> <p>25 the dealership. Meaning, I used to make</p>
<p style="text-align: right;">Page 52</p> <p>1 Andris Guzman</p> <p>2 sure that people bought cars and that they</p> <p>3 went through the process.</p> <p>4 Q. How about when you were the</p> <p>5 general sales manager?</p> <p>6 A. The general sales manager meant</p> <p>7 that I was also involved in finance.</p> <p>8 Q. By "finance," what do you mean?</p> <p>9 A. Working with the banks and</p> <p>10 getting people approved for loans.</p> <p>11 Q. Does that include running the</p> <p>12 credit for the customers?</p> <p>13 A. Running the credit for the</p> <p>14 customers is part of purchasing a vehicle.</p> <p>15 Q. Did you run the credit when you</p> <p>16 were the sales manager?</p> <p>17 A. Yes.</p> <p>18 Q. You continued running the credit</p> <p>19 as the general sales manager; is that</p> <p>20 correct?</p> <p>21 A. Every manager at the store has</p> <p>22 access to running credit, it's part of</p> <p>23 buying and getting all the stipulations</p> <p>24 needed to get a loan and purchasing the</p> <p>25 vehicle, right?</p>	<p style="text-align: right;">Page 53</p> <p>1 Andris Guzman</p> <p>2 Q. Besides what you just described,</p> <p>3 were there any other additional</p> <p>4 responsibilities that we have not discussed</p> <p>5 yet?</p> <p>6 A. Aside from being in charge of</p> <p>7 making sure people bought vehicles, no.</p> <p>8 Q. Do you recall how many cars were</p> <p>9 sold by the dealership on a monthly basis?</p> <p>10 A. I don't recall exactly, it's</p> <p>11 been a few years.</p> <p>12 Q. How about a range, let's start</p> <p>13 from the busier months, how many cars would</p> <p>14 Hillside Auto Outlet sell?</p> <p>15 MR. KATAEV: Objection.</p> <p>16 Asked and answered, but you</p> <p>17 can answer the question.</p> <p>18 A. I don't remember exactly, the</p> <p>19 exact number.</p> <p>20 Q. Do you recall what the store</p> <p>21 hours were at Hillside Auto?</p> <p>22 A. Not the specific times, no. It</p> <p>23 has been a few years, I don't.</p> <p>24 Q. Do you recall if the car</p> <p>25 salespeople were working the same hours as</p>

<p style="text-align: right;">Page 54</p> <p>1 Andris Guzman</p> <p>2 the store hours?</p> <p>3 A. I do remember that everybody had</p> <p>4 a schedule. But, I don't remember what the</p> <p>5 schedule was because it's been a while. I</p> <p>6 don't -- I don't remember the specifics.</p> <p>7 Q. Were there times when the car</p> <p>8 salespeople needed to stay past their</p> <p>9 scheduled hours in order to complete a deal?</p> <p>10 MR. KATAEV: Objection as</p> <p>11 to relevance. You can</p> <p>12 answer.</p> <p>13 A. Can you repeat the question for</p> <p>14 me? I just want to make sure that I</p> <p>15 understand it correctly.</p> <p>16 MS. TROY: Ms. Court</p> <p>17 reporter, if you don't mind</p> <p>18 reading back the last</p> <p>19 question.</p> <p>20 (The reporter read back the</p> <p>21 last question)</p> <p>22 A. Yes. You do not get to leave</p> <p>23 before you complete the sale, I mean, the</p> <p>24 sale has to get finished. Once the sale gets</p> <p>25 finished, then you go home.</p>	<p style="text-align: right;">Page 55</p> <p>1 Andris Guzman</p> <p>2 Q. When the customer comes in, what</p> <p>3 is the process for them to obtain a vehicle?</p> <p>4 A. Do you mean how the entire sales</p> <p>5 process works? Just so that I have a better</p> <p>6 understanding.</p> <p>7 Q. Yes. The entire sales process,</p> <p>8 and around how much time each step of the</p> <p>9 process takes.</p> <p>10 A. Everybody -- every individual</p> <p>11 has different situations. That is the</p> <p>12 reason that you can never measure how long</p> <p>13 it's really going to take for each client.</p> <p>14 But, considering their purchase and car is</p> <p>15 the second biggest purchase after you buy a</p> <p>16 house, there is a lot that is involved in</p> <p>17 getting a vehicle.</p> <p>18 Initially, the customer would have to</p> <p>19 decide after they come into the store what</p> <p>20 vehicle they want to purchase, and that</p> <p>21 entails checking different options to see</p> <p>22 what the people like or don't like. You</p> <p>23 have to see if you have the inventory first,</p> <p>24 you have to pick out a vehicle. Then, you</p> <p>25 will get to the next step if they want to</p>
<p style="text-align: right;">Page 56</p> <p>1 Andris Guzman</p> <p>2 buy the vehicle in cash or finance the</p> <p>3 vehicle. That is another step that they</p> <p>4 would have to do.</p> <p>5 After that, they decide what vehicle</p> <p>6 they want to take, the next step will be</p> <p>7 assuming that they either want to buy the</p> <p>8 vehicle for cash or finance the vehicle. If</p> <p>9 they decide to go the finance route, then</p> <p>10 they will have to complete an application, a</p> <p>11 finance application. After the customer</p> <p>12 completes the financing application, they</p> <p>13 will have to provide all their information</p> <p>14 that is required for us to complete a</p> <p>15 vehicle purchase and to get them approved</p> <p>16 with the bank. Of course, they have to go</p> <p>17 through very different verifications for us</p> <p>18 to be able to complete everything.</p> <p>19 So, before we even check their</p> <p>20 information, we have to verify the license,</p> <p>21 the banks are requiring the pay stubs, most</p> <p>22 of the time people don't even have a pay</p> <p>23 stub with them. They will be told to get</p> <p>24 their pay stubs for us even after they get a</p> <p>25 pay stub, we will have to verify to see if</p>	<p style="text-align: right;">Page 57</p> <p>1 Andris Guzman</p> <p>2 the pay stubs are legitimate. There is a</p> <p>3 lot of fraud involved, and that is the</p> <p>4 biggest concern right now that people having</p> <p>5 different kinds of access and we don't know</p> <p>6 what is real or not. There's a lot of</p> <p>7 things that go into it when you come to</p> <p>8 verify, to make sure that everything is</p> <p>9 compliant.</p> <p>10 Anything additional that the bank</p> <p>11 requires, we will get all of that</p> <p>12 information. And then, that gets inputted</p> <p>13 into the system, which is the system that we</p> <p>14 have so that we can get the approval with</p> <p>15 the bank. That is when we actually go and</p> <p>16 check the credit, we check the credit, and</p> <p>17 we see if there are any additional</p> <p>18 verifications. There are times that you are</p> <p>19 going to see, you're going to see more</p> <p>20 recently, that there are a lot of fraud</p> <p>21 alerts and if there is a fraud alert, that</p> <p>22 means that extra verification that we have</p> <p>23 to do and put that in place.</p> <p>24 The client will get calls from the bank</p> <p>25 to make sure that they are the ones</p>

<p style="text-align: right;">Page 58</p> <p>1 Andris Guzman</p> <p>2 requesting it, they are the one requesting</p> <p>3 financing. It becomes tough when the</p> <p>4 numbers from the credit does not match the</p> <p>5 numbers that the customer is giving. If the</p> <p>6 number is not the same, they will have to</p> <p>7 update it in the bureaus, and then it's like</p> <p>8 TransUnion and that can take 24 to 48 hours</p> <p>9 to update it. Plus, they will be able to --</p> <p>10 they will not be able to buy the vehicle on</p> <p>11 the spot. They will have to wait, and if</p> <p>12 the numbers do match, then the bank still</p> <p>13 has to call and verify everything with them.</p> <p>14 There are guidelines, and it's during --</p> <p>15 even when the bank is closed, they won't be</p> <p>16 able to buy the vehicle on the spot.</p> <p>17 We do not control the process; we are</p> <p>18 not the ones financing the money. Like I</p> <p>19 said, there is a lot of variables that comes</p> <p>20 in when you buy a vehicle. But, assuming</p> <p>21 everything goes through and you are able to</p> <p>22 run the credit, you are able to verify</p> <p>23 everything, get all the documentation that</p> <p>24 you need so that you can process the loan.</p> <p>25 Then, you send everything to the bank and</p>	<p style="text-align: right;">Page 59</p> <p>1 Andris Guzman</p> <p>2 wait for their approval. When the approval</p> <p>3 comes in, then they will let us know if</p> <p>4 there is any additional information that is</p> <p>5 required.</p> <p>6 Once we have the approval from the bank,</p> <p>7 the customer is supposed to go to the office</p> <p>8 to speak with the loan officer or the</p> <p>9 finance manager. At that point, then the</p> <p>10 finance manager will let them know the</p> <p>11 numbers based on the vehicle that they have</p> <p>12 picked. If by that point the customer</p> <p>13 doesn't like the numbers, either if it's too</p> <p>14 expensive or if they change their opinion,</p> <p>15 they either have the option to chase the car</p> <p>16 for a lower payment, they can either decide</p> <p>17 that they don't want the vehicle anymore and</p> <p>18 they could even actually walk out because it</p> <p>19 is not guaranteed during the sale. It is</p> <p>20 not guaranteed that the customer is even</p> <p>21 going to take the vehicle home with them.</p> <p>22 We haven't even discussed insurance, and</p> <p>23 everything else that comes after the money.</p> <p>24 Sometimes they don't even have the money,</p> <p>25 and they have to wait for Friday to get the</p>
<p style="text-align: right;">Page 60</p> <p>1 Andris Guzman</p> <p>2 money. They are not even able to get the</p> <p>3 car and they have to wait longer for them to</p> <p>4 be able to get the vehicle.</p> <p>5 Those things, we don't control, people</p> <p>6 have, whether people have the money or not,</p> <p>7 or even if the car -- the credit, it's not</p> <p>8 even for them to be able to get an auto</p> <p>9 loan. They will have to get a co-signer.</p> <p>10 If they are not able to produce the co-</p> <p>11 signer the right way, meaning that there are</p> <p>12 times when the co-signer is not available</p> <p>13 today and they will come back to the</p> <p>14 dealership on Friday or next week or next</p> <p>15 month. We don't control those things.</p> <p>16 After they decide that they want to get the</p> <p>17 car, assuming everything went through the</p> <p>18 bank, the approval, you look at the numbers</p> <p>19 and you have to do the insurance.</p> <p>20 You have to do the insurance, and that</p> <p>21 is another step as well. They have to</p> <p>22 appraise the car and see what the value of</p> <p>23 the vehicle is and so forth.</p> <p>24 Then, the DMV part, everything has to be</p> <p>25 in compliance with the insurance of getting</p>	<p style="text-align: right;">Page 61</p> <p>1 Andris Guzman</p> <p>2 all the proper documentation so that we can</p> <p>3 do the registration of the vehicle. That is</p> <p>4 also another step that you need in buying a</p> <p>5 vehicle.</p> <p>6 After everything gets done, then it's</p> <p>7 printed and we have to put everything on</p> <p>8 paper and the people have to sign the</p> <p>9 contract.</p> <p>10 The loan officer will go over all of the</p> <p>11 information and make sure that the customer</p> <p>12 understands all the numbers. After they</p> <p>13 agree, they will sign the document and at</p> <p>14 the end, they will take possession of the</p> <p>15 car.</p> <p>16 But, to answer your question, sometimes</p> <p>17 it could take 3 hours, 4 hours, 6 hours or</p> <p>18 days depending on the situation. We wish</p> <p>19 the process was quicker, trust me. But, we</p> <p>20 are in the business of selling cars and we</p> <p>21 want to make money. We want to make sure</p> <p>22 that everybody makes money at the end of the</p> <p>23 day and we do not control and we cannot</p> <p>24 guess or foresee who is going to come</p> <p>25 through the door and what their situation</p>

<p style="text-align: right;">Page 62</p> <p>1 Andris Guzman</p> <p>2 is.</p> <p>3 Q. When you were working for</p> <p>4 Hillside Auto, was Leticia the only female</p> <p>5 car salesperson on the floor?</p> <p>6 A. I don't recall.</p> <p>7 Q. Are you familiar with the</p> <p>8 Dealertrack system?</p> <p>9 A. Yes.</p> <p>10 Q. While you were the sales manager</p> <p>11 and before your promotion to general sales</p> <p>12 manager, did you run Dealertrack?</p> <p>13 MR. KATAEV: Objection to</p> <p>14 form. You can answer the</p> <p>15 question.</p> <p>16 A. What do you mean by "running</p> <p>17 Dealertrack?"</p> <p>18 Q. Did you have access to</p> <p>19 Dealertrack, did you run the credit for the</p> <p>20 customers on the Dealertrack system?</p> <p>21 A. If I had access to Dealertrack</p> <p>22 at that point? Yes, I did have access to</p> <p>23 Dealertrack.</p> <p>24 Q. Did you run the credit for the</p> <p>25 customers on the Dealertrack system?</p>	<p style="text-align: right;">Page 63</p> <p>1 Andris Guzman</p> <p>2 A. When you mean "running the</p> <p>3 credit," do you mean checking the people's</p> <p>4 information for the purpose of getting a</p> <p>5 loan? Is that what you mean?</p> <p>6 Q. Correct.</p> <p>7 A. Yes.</p> <p>8 Q. In other words, you had both</p> <p>9 Dealertrack access, as well as you checked</p> <p>10 the customer's information from the</p> <p>11 beginning of your employment with Hillside</p> <p>12 Auto, right?</p> <p>13 A. I got employed as a manager.</p> <p>14 So, as the manager, you get Dealertrack</p> <p>15 access, correct.</p> <p>16 Q. Let's walk back for a second.</p> <p>17 Are you familiar with Hillside Auto Mall?</p> <p>18 A. That is the store that is close</p> <p>19 to ours, that is another store.</p> <p>20 Q. During your time as the sales</p> <p>21 manager, did Ishaque Thanwalla ever tell you</p> <p>22 that Hillside Auto Outlet employees, that if</p> <p>23 they had to get a car, that they should try</p> <p>24 to have the customer choose a car at</p> <p>25 Hillside Auto Mall if they did not find a</p>
<p style="text-align: right;">Page 64</p> <p>1 Andris Guzman</p> <p>2 car that they liked at Hillside Auto Outlet?</p> <p>3 MR. KATAEV: Objection to</p> <p>4 the form. You can answer.</p> <p>5 A. We used to sell cars from our</p> <p>6 lot at Hillside Auto Outlet, and correct me</p> <p>7 if I am wrong, but you are able to purchase</p> <p>8 vehicles from other dealerships. Let's say</p> <p>9 there is a car that a customer wants, and we</p> <p>10 don't have the vehicle, we can buy the</p> <p>11 vehicle from another dealership. It is</p> <p>12 allowed by the Department of Motor Vehicles</p> <p>13 as a dealership. The dealership can buy a</p> <p>14 vehicle from different dealerships.</p> <p>15 Q. What is your understanding of</p> <p>16 the relationship between Hillside Auto</p> <p>17 Outlet and Hillside Auto Mall?</p> <p>18 A. My understanding is that maybe</p> <p>19 there was a guy or two guys that they had in</p> <p>20 common that owned the place.</p> <p>21 Q. Due to that common ownership or</p> <p>22 partial common ownership, as you called it,</p> <p>23 is it correct to say that there is a</p> <p>24 preference that if there is a car that a</p> <p>25 customer cannot find on your lot at Hillside</p>	<p style="text-align: right;">Page 65</p> <p>1 Andris Guzman</p> <p>2 Auto Outlet that you try to find it at</p> <p>3 Hillside Auto Mall?</p> <p>4 A. What I am saying is that we can</p> <p>5 buy any vehicle from any established</p> <p>6 dealership. That is allowed by the</p> <p>7 Department of Motor Vehicles.</p> <p>8 Q. Yes, please answer my question.</p> <p>9 The question was: was there a preference to</p> <p>10 Hillside Auto Mall, versus the other</p> <p>11 dealerships close by?</p> <p>12 A. We were able to get inventory</p> <p>13 from other dealerships as long as they</p> <p>14 provided us with the car. No preference,</p> <p>15 ma'am.</p> <p>16 Q. Between March and August of</p> <p>17 2018, how many cars were sold per month at</p> <p>18 Hillside Auto Outlet?</p> <p>19 A. I don't recall.</p> <p>20 Q. What about between September of</p> <p>21 2018 and February of 2019, how many cars</p> <p>22 were sold per month?</p> <p>23 MR. KATAEV: Objection.</p> <p>24 Asked and answered. You can</p> <p>25 answer the question.</p>

<p style="text-align: right;">Page 66</p> <p>1 Andris Guzman</p> <p>2 A. I don't recall.</p> <p>3 Q. Are you familiar with Leticia</p> <p>4 Stidhum?</p> <p>5 A. Repeat the question.</p> <p>6 MS. TROY: Ms. Court</p> <p>7 reporter, if you don't mind</p> <p>8 reading back the question.</p> <p>9 (The reporter read back the</p> <p>10 last question)</p> <p>11 A. Familiar as if she used to work</p> <p>12 at Hillside Auto Outlet?</p> <p>13 Q. Right.</p> <p>14 A. Yes, she used to work at</p> <p>15 Hillside Auto.</p> <p>16 Q. What is your opinion of her as a</p> <p>17 car salesperson?</p> <p>18 MR. KATAEV: Objection.</p> <p>19 Calls for opinion testimony.</p> <p>20 You can answer the question.</p> <p>21 A. It has been a few years and I</p> <p>22 don't remember all the details. But, I</p> <p>23 think she was good.</p> <p>24 Q. Who was the general sales</p> <p>25 manager before you?</p>	<p style="text-align: right;">Page 67</p> <p>1 Andris Guzman</p> <p>2 A. Her name is Jeanique.</p> <p>3 Q. Before working at Hillside Auto</p> <p>4 Outlet, did you work for Ishaque at another</p> <p>5 dealership?</p> <p>6 A. We worked together before, yes.</p> <p>7 Q. From when to when?</p> <p>8 MR. KATAEV: Objection.</p> <p>9 You can answer the question.</p> <p>10 A. It's been a few years. It could</p> <p>11 have been between 8 months to 10 months.</p> <p>12 Q. Do you recall what the name of</p> <p>13 the dealership was that you worked with</p> <p>14 Ishaque before Hillside?</p> <p>15 A. Queens Auto Mall, we used to</p> <p>16 work together.</p> <p>17 Q. At that time, what was his</p> <p>18 position at Queens Auto Mall?</p> <p>19 A. I don't recall the exact title.</p> <p>20 Q. Was he the owner or was he the</p> <p>21 manager?</p> <p>22 A. More towards the manager, but I</p> <p>23 don't recall what his specific role that he</p> <p>24 played there was. I don't know.</p> <p>25 Q. How about yourself, what was</p>
<p style="text-align: right;">Page 68</p> <p>1 Andris Guzman</p> <p>2 your role that you played there?</p> <p>3 A. I used to do sales.</p> <p>4 Q. Were you a sales manager or a</p> <p>5 salesperson?</p> <p>6 A. Salesperson, selling cars.</p> <p>7 Q. At the time when you were hired,</p> <p>8 was there a bonus structure in place for the</p> <p>9 Hillside Auto Outlet employees?</p> <p>10 A. I didn't handle the money part.</p> <p>11 Q. Who handled the money part at</p> <p>12 Hillside?</p> <p>13 A. General manager.</p> <p>14 Q. Who was the general manager?</p> <p>15 A. Ishaque.</p> <p>16 Q. Who hired you as the sales</p> <p>17 manager?</p> <p>18 A. Ishaque.</p> <p>19 Q. As the sales manager, did you</p> <p>20 have the power to hire employees?</p> <p>21 A. The general manager was in</p> <p>22 charge of hiring employees.</p> <p>23 Q. Did you have the power to fire?</p> <p>24 A. The general manager had the</p> <p>25 power to fire.</p>	<p style="text-align: right;">Page 69</p> <p>1 Andris Guzman</p> <p>2 Q. Did you have the power to</p> <p>3 discipline employees?</p> <p>4 A. General manager had the power to</p> <p>5 discipline employees.</p> <p>6 Q. As the sales manager, did you</p> <p>7 ever hire anyone?</p> <p>8 A. No.</p> <p>9 Q. How about firing anyone?</p> <p>10 A. No.</p> <p>11 Q. How about disciplining anyone?</p> <p>12 A. No.</p> <p>13 Q. While you were the sales</p> <p>14 manager, did the salespeople have a fixed</p> <p>15 break time?</p> <p>16 MR. KATAEV: Objection as</p> <p>17 to relevance. You can</p> <p>18 answer.</p> <p>19 A. I don't recall when their break</p> <p>20 was or what specific times they were -- it's</p> <p>21 been a few years.</p> <p>22 Q. At the time, how were employees</p> <p>23 times tracked?</p> <p>24 MR. KATAEV: Objection as</p> <p>25 to relevance. You can</p>

<p style="text-align: right;">Page 70</p> <p>1 Andris Guzman</p> <p>2 answer.</p> <p>3 A. I don't remember the exact</p> <p>4 mechanics of it.</p> <p>5 Q. Earlier, you mentioned that you</p> <p>6 may have had texts with Jory Baron. To your</p> <p>7 knowledge, what was his role at Hillside?</p> <p>8 MR. KATAEV: Objection to</p> <p>9 form and assuming facts not</p> <p>10 in evidence. You can answer.</p> <p>11 A. Jory Baron, you mentioned, is</p> <p>12 that right?</p> <p>13 Q. Yes.</p> <p>14 A. To my belief, he was one of the</p> <p>15 owners at Hillside Auto Outlet.</p> <p>16 Q. How did you know that he was one</p> <p>17 of the owners?</p> <p>18 A. I believe he did introduce</p> <p>19 himself back in the day.</p> <p>20 Q. He introduced himself as the</p> <p>21 owner; is that correct?</p> <p>22 A. I don't recall him specifically</p> <p>23 directing that he was one of the owners. But</p> <p>24 I was able to, somewhere along the line, he</p> <p>25 mentioned that he was the owner. I don't</p>	<p style="text-align: right;">Page 71</p> <p>1 Andris Guzman</p> <p>2 remember if he told me that directly or not.</p> <p>3 Q. To your knowledge, did Jory</p> <p>4 Baron have the power to hire employees?</p> <p>5 A. Ishaque was the general manager</p> <p>6 of the store. So, I believe Ishaque is the</p> <p>7 person that has the power of hiring</p> <p>8 employees.</p> <p>9 Q. Does Jory, also have the power</p> <p>10 in addition to Ishaque?</p> <p>11 A. Ishaque was the person in charge</p> <p>12 of the dealership.</p> <p>13 Q. Does Jory also have the power in</p> <p>14 addition to Ishaque?</p> <p>15 A. Ishaque was the person in charge</p> <p>16 of the dealership. Meaning if someone had</p> <p>17 to get hired, they had to go to Ishaque.</p> <p>18 Q. My question is: did Jory Baron</p> <p>19 also have the power to hire?</p> <p>20 MR. KATAEV: Objection.</p> <p>21 Asked and answered. You can</p> <p>22 answer.</p> <p>23 A. What was the question, if Jory</p> <p>24 had the power to hire somebody?</p> <p>25 Q. Yes.</p>
<p style="text-align: right;">Page 72</p> <p>1 Andris Guzman</p> <p>2 A. He was one of the owners.</p> <p>3 Q. Is that a "yes?"</p> <p>4 A. I believe he can, but I believe</p> <p>5 Ishaque was the person in charge of the</p> <p>6 dealership.</p> <p>7 Q. How about the power to fire</p> <p>8 employees, did he also have the power to</p> <p>9 fire employees?</p> <p>10 MR. KATAEV: Objection.</p> <p>11 You can answer.</p> <p>12 A. Like I keep mentioning, Ishaque</p> <p>13 was the person that was running the</p> <p>14 dealership, and to my knowledge, Jory was</p> <p>15 one of the owners. But the person that was</p> <p>16 in charge was Ishaque.</p> <p>17 Q. Do you believe he could fire</p> <p>18 employees, Jory?</p> <p>19 A. He was one of the owners.</p> <p>20 MR. KATAEV: Objection.</p> <p>21 A. He was one of the owners and has</p> <p>22 the power to do so.</p> <p>23 Q. Do you know Deana Jennings, and</p> <p>24 if so, how are you familiar with her?</p> <p>25 A. She was --- she worked at</p>	<p style="text-align: right;">Page 73</p> <p>1 Andris Guzman</p> <p>2 Hillside Auto Outlet.</p> <p>3 Q. Do you recall when she stopped</p> <p>4 working for Hillside?</p> <p>5 A. I don't recall.</p> <p>6 Q. Did she stop working at Hillside</p> <p>7 Auto Outlet before you left Hillside or</p> <p>8 after you left Hillside?</p> <p>9 A. I don't recall the timeframe</p> <p>10 either.</p> <p>11 Q. Do you recall what her position</p> <p>12 was?</p> <p>13 A. I believe, if I'm not mistaken,</p> <p>14 controller.</p> <p>15 Q. As the controller, what were her</p> <p>16 responsibilities?</p> <p>17 A. I am not familiar with the term</p> <p>18 of responsibilities.</p> <p>19 Q. Did you have any interaction</p> <p>20 with her while you were the sales manager</p> <p>21 and general sales manager at Hillside?</p> <p>22 A. Very few times we spoke, job-</p> <p>23 related.</p> <p>24 Q. Was she at Hillside Auto Outlet</p> <p>25 on a day-to-day basis?</p>

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1 Andris Guzman
 2 MR. KATAEV: Objection.
 3 Vague, you can answer.
 4 A. I don't recall.
 5 Q. Did she work for both Hillside
 6 Auto Outlet and Hillside Auto Mall at the
 7 same time?
 8 A. I don't have that information
 9 and I'm not able to answer that.
 10 Q. When is your birthday?
 11 A. My birthday?
 12 Q. Yes.
 13 A. You want the day, year, and
 14 month, everything?
 15 Q. Correct.
 16 A. [REDACTED].
 17 Q. Are you familiar with David
 18 Baron?
 19 A. He was -- yes, yes.
 20 Q. How are you familiar with him?
 21 A. David Baron, he used to be one
 22 of the owners.
 23 Q. How about Josh Aaronson?
 24 A. Josh Aaronson was one of the
 25 owners as well.

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1 Andris Guzman
 2 that he did have the power to hire and fire
 3 employees, is that also a yes?
 4 MR. KATAEV: Same
 5 objection. You can answer.
 6 A. Yes, he was one of the owners.
 7 Q. While you were working at
 8 Hillside, were you frequently at the podium?
 9 A. At the podium? When you say
 10 "podium," is at the podium stage, that you
 11 mean which is within the location at the
 12 dealership?
 13 Q. Yes.
 14 A. Yes, yes. I am familiar with
 15 the podium.
 16 Q. During your time working at
 17 Hillside, have you ever seen Ishaque provide
 18 his Dealertrack password to Leticia?
 19 A. No.
 20 Q. Have you ever seen Ishaque train
 21 Leticia personally on the Dealertrack
 22 system?
 23 A. Repeat that again. What was the
 24 question?
 25 MS. TROY: Ms. Court

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1 Andris Guzman
 2 Q. To your knowledge, did David
 3 Baron have the power to hire employees?
 4 A. I wasn't the person in charge of
 5 the dealership when he came to operations,
 6 he would be the person to hire that would
 7 determine those positions.
 8 Q. But, David Baron who passed
 9 away, did he have the power to hire and fire
 10 employees?
 11 A. They were one of the owners, you
 12 mean?
 13 Q. I mean, how about Josh Aaronson,
 14 is your answer the same which is that as one
 15 of the owners he had the power to hire and
 16 fire employees?
 17 MR. KATAEV: Objection to
 18 the form.
 19 A. He was one of the owners also.
 20 Q. Is that a yes?
 21 MR. KATAEV: Objection.
 22 You can answer.
 23 A. Yes, yes.
 24 Q. With regard to my previous
 25 question about David Baron, is your answer

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1 Andris Guzman
 2 reporter, if you don't mind
 3 reading back the last
 4 question.
 5 (The reporter read back the
 6 last question)
 7 A. No.
 8 Q. At any time, have you seen
 9 Leticia use the Dealertrack system to help
 10 run the credit for Hillside Auto customers?
 11 A. No.
 12 Q. Were there any other posters at
 13 Hillside Auto?
 14 A. What posters, what do you mean
 15 by "posters?"
 16 Q. For instance, are there any
 17 posters about the minimum wage?
 18 A. Sure. I mean every business has
 19 it, it's supposed to have a poster of
 20 minimum wage. I don't remember where it
 21 was, but I am pretty sure yes, we did.
 22 Q. What type of posters are at the
 23 store?
 24 A. I don't know right now. I've
 25 been out of the store a few years, so I

<p style="text-align: right;">Page 78</p> <p>1 Andris Guzman</p> <p>2 don't know.</p> <p>3 Q. Do you currently work for any of</p> <p>4 the individually named defendants?</p> <p>5 A. If I work for any of them?</p> <p>6 Right?</p> <p>7 Q. Yes.</p> <p>8 A. No.</p> <p>9 Q. To your knowledge, did Hillside</p> <p>10 Auto have any written policies regarding</p> <p>11 discrimination?</p> <p>12 A. At that time I believe we did.</p> <p>13 Q. What was that policy?</p> <p>14 A. That discrimination is not</p> <p>15 allowed.</p> <p>16 Q. Do you recall when Ishaque</p> <p>17 traveled from the United States to Pakistan</p> <p>18 in 2018?</p> <p>19 A. I don't have the exact dates.</p> <p>20 Q. Do you recall if Ishaque</p> <p>21 continued to work at Hillside Auto, or did</p> <p>22 he take a break before leaving to Pakistan</p> <p>23 from the United States?</p> <p>24 A. I'm sorry. What was that?</p> <p>25 When?</p>	<p style="text-align: right;">Page 79</p> <p>1 Andris Guzman</p> <p>2 Q. In 2018.</p> <p>3 A. (No response)</p> <p>4 MR. KATAEV: Let the</p> <p>5 record reflect, and that</p> <p>6 probably was not heard, but</p> <p>7 the witness said "I don't</p> <p>8 understand the question."</p> <p>9 Q. Without revealing the contents</p> <p>10 of the communications with your attorney,</p> <p>11 for how long did you speak with your</p> <p>12 attorney in preparation for today's</p> <p>13 deposition?</p> <p>14 MR. KATAEV: Asked and</p> <p>15 answered. You can answer the</p> <p>16 question. Objection to that.</p> <p>17 A. We met a few days ago.</p> <p>18 Q. The question is: for how much</p> <p>19 time?</p> <p>20 A. I don't have any specific time.</p> <p>21 I mean, it could have been 30 minutes, 1</p> <p>22 hour or 2 hours. I don't have the specific</p> <p>23 time.</p> <p>24 Q. Have you ever interviewed any</p> <p>25 prospective employees at Hillside Auto?</p>
<p style="text-align: right;">Page 80</p> <p>1 Andris Guzman</p> <p>2 A. Not that I recall, I was not in</p> <p>3 charge of hiring employees. I was not the</p> <p>4 general manager.</p> <p>5 Q. Are you familiar with a DMV</p> <p>6 clerk named Lily?</p> <p>7 MR. KATAEV: Objection to</p> <p>8 relevance. You can answer.</p> <p>9 A. I can't recall. It's been a few</p> <p>10 years.</p> <p>11 Q. Do you recall in 2018 that the</p> <p>12 DMV clerk Lily left Hillside Auto because</p> <p>13 she was pregnant?</p> <p>14 A. I don't recall.</p> <p>15 Q. Do you recall Ishaque</p> <p>16 disciplining Lily who was pregnant at the</p> <p>17 time?</p> <p>18 A. I don't recall.</p> <p>19 MR. KATAEV: Objection as</p> <p>20 to relevance to this entire</p> <p>21 line of questioning. You can</p> <p>22 answer. You already</p> <p>23 answered.</p> <p>24 Q. Do you recall Lily's last name?</p> <p>25 A. I don't recall her last name.</p>	<p style="text-align: right;">Page 81</p> <p>1 Andris Guzman</p> <p>2 MR. KATAEV: The witness</p> <p>3 just told me that he needs to</p> <p>4 use the restroom.</p> <p>5 MS. TROY: Sure. Is 10</p> <p>6 minutes good for you?</p> <p>7 THE WITNESS: Yes. Just</p> <p>8 to use the bathroom.</p> <p>9 MS. TROY: We can come</p> <p>10 back at 12:20 and you guys</p> <p>11 can also move to the</p> <p>12 conference room.</p> <p>13 MR. KATAEV: Thank you.</p> <p>14 (A recess was taken from</p> <p>15 12:00 until 12:10 p.m.)</p> <p>16 MS. TROY: Ms. Court</p> <p>17 reporter, can you read back</p> <p>18 the last question.</p> <p>19 (The reporter read back the</p> <p>20 last question)</p> <p>21 MR. KATAEV: Are you</p> <p>22 ready?</p> <p>23 THE WITNESS: Yes, I am</p> <p>24 ready.</p> <p>25 Q. Do you recall a robbery that</p>

<p style="text-align: right;">Page 82</p> <p>1 Andris Guzman</p> <p>2 took place at Hillside Auto?</p> <p>3 A. I don't recall right now.</p> <p>4 Q. What was Leticia Stidhum's</p> <p>5 position, was it a salesperson?</p> <p>6 MR. KATAEV: Objection to</p> <p>7 the form. You can answer.</p> <p>8 A. Yes.</p> <p>9 Q. What were her responsibilities</p> <p>10 as a car salesperson?</p> <p>11 A. The responsibility is to sell</p> <p>12 cars.</p> <p>13 Q. Was she ever promised a sales</p> <p>14 manager position?</p> <p>15 A. I have no information of that.</p> <p>16 Q. What was the relationship</p> <p>17 between Ishaque and Leticia?</p> <p>18 A. What do you mean by</p> <p>19 "relationship?"</p> <p>20 Q. Can you describe their working</p> <p>21 relationship.</p> <p>22 A. Ishaque was the supervisor,</p> <p>23 meaning the manager, the person in charge,</p> <p>24 and she was an employee.</p> <p>25 Q. Did Ishaque ever call Leticia</p>	<p style="text-align: right;">Page 83</p> <p>1 Andris Guzman</p> <p>2 his "daughter?"</p> <p>3 A. I don't recall the specifics of</p> <p>4 that.</p> <p>5 Q. Do you recall why you left</p> <p>6 Hillside?</p> <p>7 A. Pursuing better employment</p> <p>8 opportunities.</p> <p>9 Q. Do you recall how much car</p> <p>10 salespeople were paid?</p> <p>11 A. No. I was not in charge of the</p> <p>12 money.</p> <p>13 Q. Were they paid a wage along with</p> <p>14 some amount of commission?</p> <p>15 A. I don't recall their payment</p> <p>16 structure.</p> <p>17 Q. While you were working at</p> <p>18 Hillside Auto, was there a board where the</p> <p>19 car salespeople would tally the number of</p> <p>20 cars that they sold for the month?</p> <p>21 A. I don't recall.</p> <p>22 Q. How did Hillside Auto verify the</p> <p>23 pay for the car salespeople?</p> <p>24 A. I don't remember the specifics</p> <p>25 right now.</p>
<p style="text-align: right;">Page 84</p> <p>1 Andris Guzman</p> <p>2 Q. Do you recall how many cars</p> <p>3 Leticia sold?</p> <p>4 A. I don't recall how many cars she</p> <p>5 sold.</p> <p>6 Q. Did you run the credit for</p> <p>7 customers back at Queens Auto Mall as well?</p> <p>8 A. No.</p> <p>9 Q. You began running the credit for</p> <p>10 the cars, the customers at Hillside Auto; is</p> <p>11 that correct?</p> <p>12 A. When you say run the credit,</p> <p>13 that means managers having access?</p> <p>14 Q. Did --</p> <p>15 A. (Continuing) The managers were</p> <p>16 the ones that could check people's</p> <p>17 information and profile.</p> <p>18 Q. You are talking about managers</p> <p>19 who can check people's information and</p> <p>20 profile. Who were those people at Hillside</p> <p>21 Auto while you were working there?</p> <p>22 A. Are you asking who were the</p> <p>23 managers back then when I used to work, is</p> <p>24 that the question?</p> <p>25 Q. Yes, let's start from there,</p>	<p style="text-align: right;">Page 85</p> <p>1 Andris Guzman</p> <p>2 yes.</p> <p>3 A. I remember it was me, there was</p> <p>4 Ishaque, there was Serge, there was</p> <p>5 Jeanique. I don't recall anyone else after</p> <p>6 that.</p> <p>7 Q. Did each of them actually check</p> <p>8 the customer's information and profile on a</p> <p>9 day-to-day basis?</p> <p>10 A. What I remember is that</p> <p>11 everybody had access to do so.</p> <p>12 Q. How often would you use the</p> <p>13 Dealertrack system to check customer's</p> <p>14 information and profiles?</p> <p>15 A. How often?</p> <p>16 Q. Correct.</p> <p>17 A. That was part of the job, it was</p> <p>18 daily. It was Dealertrack, it was actually</p> <p>19 what got used daily, meaning in the</p> <p>20 dealership.</p> <p>21 Q. Did Ishaque use Dealertrack</p> <p>22 daily?</p> <p>23 A. Every manager used Dealertrack</p> <p>24 daily.</p> <p>25 Q. Did Serge use Dealertrack daily?</p>

<p style="text-align: right;">Page 86</p> <p>1 Andris Guzman</p> <p>2 A. Every manager used Dealertrack</p> <p>3 daily, yes.</p> <p>4 Q. What about Jeanique as well,</p> <p>5 before she left, correct?</p> <p>6 A. Correct.</p> <p>7 Q. At Hillside Auto, were car</p> <p>8 salespeople given performance evaluations?</p> <p>9 A. I don't understand the question.</p> <p>10 Q. Were there performance</p> <p>11 evaluations given to Hillside Auto car</p> <p>12 salespeople?</p> <p>13 A. I don't recall right now the</p> <p>14 specifics.</p> <p>15 Q. But, to your knowledge, were</p> <p>16 they ever given?</p> <p>17 A. I don't remember a specific time</p> <p>18 at this moment.</p> <p>19 Q. Do you recall if Leticia was a</p> <p>20 top salesperson at the time?</p> <p>21 MR. KATAEV: Objection.</p> <p>22 Asked and answered. You can</p> <p>23 answer the question.</p> <p>24 A. I remember she was good, but I</p> <p>25 just don't recall the specific numbers.</p>	<p style="text-align: right;">Page 87</p> <p>1 Andris Guzman</p> <p>2 Q. Do you recall why Leticia</p> <p>3 Stidhum left Hillside Auto?</p> <p>4 A. I don't know the specifics of</p> <p>5 why she left the company.</p> <p>6 Q. At the time when she left</p> <p>7 Hillside Auto, was she pregnant?</p> <p>8 A. I have no knowledge that she was</p> <p>9 pregnant. I don't recall.</p> <p>10 Q. Did she ever bring a sonogram of</p> <p>11 her pregnancy to the dealership?</p> <p>12 A. I don't recall ever seeing a</p> <p>13 sonogram.</p> <p>14 Q. Did she ever tell you that she</p> <p>15 was pregnant?</p> <p>16 A. I don't remember being told that</p> <p>17 she was pregnant.</p> <p>18 Q. Are you familiar with VIN</p> <p>19 Solutions?</p> <p>20 A. That is the tool for customer</p> <p>21 information, yes.</p> <p>22 Q. To your knowledge, does VIN</p> <p>23 Solutions underreport the number of cars</p> <p>24 that were sold at Hillside Auto?</p> <p>25 MR. KATAEV: Objection to</p>
<p style="text-align: right;">Page 88</p> <p>1 Andris Guzman</p> <p>2 the form. You can answer.</p> <p>3 A. What was the question?</p> <p>4 MS. TROY: Ms. Court</p> <p>5 reporter, if you don't mind</p> <p>6 reading back the question to</p> <p>7 the witness.</p> <p>8 (The reporter read back the</p> <p>9 last question)</p> <p>10 MR. KATAEV: Objection.</p> <p>11 Assumes facts not in</p> <p>12 evidence, but you can answer.</p> <p>13 A. VIN Solutions, to my knowledge</p> <p>14 does report customer information, and you</p> <p>15 will have some record of people that bought</p> <p>16 vehicles. On how accurate it is, I'm not</p> <p>17 sure. I haven't used VIN Solutions in</p> <p>18 years.</p> <p>19 Q. To your knowledge, does VIN</p> <p>20 Solutions automatically mark leads as "lost"</p> <p>21 after a certain period of time?</p> <p>22 A. I don't recall. I haven't used</p> <p>23 VIN Solutions in years.</p> <p>24 Q. On the sales floor itself while</p> <p>25 you were working as a general sales manager,</p>	<p style="text-align: right;">Page 89</p> <p>1 Andris Guzman</p> <p>2 was it typically you and Ishaque who put in</p> <p>3 the customer information into Dealertrack?</p> <p>4 A. Do you mean for us to get the</p> <p>5 customer information and submit it to the</p> <p>6 bank?</p> <p>7 Q. Right.</p> <p>8 A. Yes.</p> <p>9 Q. Go ahead. Finish.</p> <p>10 A. What I'm saying is the</p> <p>11 Dealertrack was a manager tool. So,</p> <p>12 whatever information that was needed to do</p> <p>13 the deal, Dealertrack is the salesperson --</p> <p>14 that will be in that information.</p> <p>15 Q. After the salespeople brought</p> <p>16 the information back, who would enter it</p> <p>17 into Dealertrack?</p> <p>18 A. The managers (indicating) we did</p> <p>19 come at that time.</p> <p>20 Q. Who would be the people who</p> <p>21 would enter it into Dealertrack?</p> <p>22 A. I was one of them or any of the</p> <p>23 managers, they had access to do so.</p> <p>24 Q. Typically, was it you and</p> <p>25 Ishaque?</p>

<p style="text-align: right;">Page 90</p> <p>1 Andris Guzman</p> <p>2 A. I would be involved in it a lot</p> <p>3 of time, correct, yes.</p> <p>4 Q. Would Ishaque sometimes use the</p> <p>5 Dealertrack to enter the information brought</p> <p>6 back by the car salespeople as well?</p> <p>7 A. He had the access to do it.</p> <p>8 Q. Did he use the Dealertrack</p> <p>9 because he had access to it?</p> <p>10 A. Yes. He used Dealertrack, he</p> <p>11 was the person in charge, and as the person</p> <p>12 in charge, you have access to everything,</p> <p>13 every tool to do everything.</p> <p>14 Q. Do you recall changing the</p> <p>15 password to Dealertrack when Ishaque went</p> <p>16 back to Pakistan in 2018?</p> <p>17 A. I don't recall. Also, I just</p> <p>18 want to add, I didn't even have that access,</p> <p>19 you cannot just change people's passwords.</p> <p>20 MS. TROY: Let's take a</p> <p>21 half an hour break and we</p> <p>22 will come back at 1:10.</p> <p>23 MR. KATAEV: We're going</p> <p>24 to be going out for lunch,</p> <p>25 and it probably will take 45</p>	<p style="text-align: right;">Page 91</p> <p>1 Andris Guzman</p> <p>2 minutes. I'm not sure if we</p> <p>3 will make it back on time.</p> <p>4 MS. TROY: That is fine.</p> <p>5 So, 1:20 or 1:25 is fine.</p> <p>6 (A recess was taken from</p> <p>7 12:40 p.m. until 1:24 p.m.)</p> <p>8 Q. To your knowledge, did Leticia</p> <p>9 help with the license plates, meaning once</p> <p>10 the customer got the car there was a license</p> <p>11 plate registration?</p> <p>12 A. In what regard, because part of</p> <p>13 the sales process is getting -- what's the</p> <p>14 meaning of getting the plates? It has to be</p> <p>15 done by the Department of Motor Vehicles.</p> <p>16 There was a process that the salesperson was</p> <p>17 supposed to do to make sure that their</p> <p>18 customer got plates.</p> <p>19 Q. Do you remember the process?</p> <p>20 A. Not only I, Leticia, everybody</p> <p>21 was part of the sales process.</p> <p>22 Q. What was the sales manager's</p> <p>23 role in that process for the license plates?</p> <p>24 A. Repeat the question.</p> <p>25 Q. You just described what the job</p>
<p style="text-align: right;">Page 92</p> <p>1 Andris Guzman</p> <p>2 responsibilities are for the salesperson in</p> <p>3 obtaining the license plates.</p> <p>4 My question for you is: what is the</p> <p>5 sales manager's responsibility for that</p> <p>6 portion?</p> <p>7 A. We just make sure that the</p> <p>8 vehicles get registered. One of the things</p> <p>9 gets issued by the Motor Vehicles, of</p> <p>10 course.</p> <p>11 Q. Is there a division of labor</p> <p>12 between the car salespeople and the sales</p> <p>13 manager with respect to the registration of</p> <p>14 the license plate with the DMV?</p> <p>15 A. I am not understanding your</p> <p>16 question.</p> <p>17 Q. What are the responsibilities of</p> <p>18 the car salespeople versus the sales manager</p> <p>19 for the license plate registration with the</p> <p>20 Department of Motor Vehicles?</p> <p>21 A. Collectively, we make sure that</p> <p>22 we get all of the information that is</p> <p>23 required so that the customer can be able to</p> <p>24 purchase the vehicle, I registered the</p> <p>25 vehicle that they are purchasing.</p>	<p style="text-align: right;">Page 93</p> <p>1 Andris Guzman</p> <p>2 Q. What would the sales managers do</p> <p>3 that the car salespeople did not do with</p> <p>4 regard to the car registration process?</p> <p>5 A. We would make sure that the</p> <p>6 process is being done.</p> <p>7 Q. Are you familiar with Auto</p> <p>8 Funds?</p> <p>9 A. Auto Funds is -- yes, I have</p> <p>10 used Auto Funds before. I have used Auto</p> <p>11 Funds before but it's been a few years.</p> <p>12 Q. To your knowledge, what is Auto</p> <p>13 Funds?</p> <p>14 A. Auto Funds is related to the</p> <p>15 website. It's a management tool for the</p> <p>16 website, to my knowledge, of course. I am</p> <p>17 not too familiar with it; I haven't used it</p> <p>18 in years.</p> <p>19 Q. Who has access to Auto Funds at</p> <p>20 Hillside Auto?</p> <p>21 A. I don't recall to what extent we</p> <p>22 did use it, I don't remember the details.</p> <p>23 Q. Do you recall if Leticia had</p> <p>24 access to Auto Funds?</p> <p>25 A. I don't recall.</p>

<p style="text-align: right;">Page 94</p> <p>1 Andris Guzman</p> <p>2 Q. Besides texting with Leticia,</p> <p>3 have you ever emailed her while you were</p> <p>4 working as the sales manager or the general</p> <p>5 sales manager at Hillside Auto?</p> <p>6 A. I don't recall.</p> <p>7 Q. Have you ever called her or has</p> <p>8 she ever called you?</p> <p>9 A. I don't recall any specific</p> <p>10 conversations. I mean, we might have spoken</p> <p>11 about work-related duties during the working</p> <p>12 hours. But, I don't remember the specifics</p> <p>13 of that.</p> <p>14 MS. TROY: Demand Number</p> <p>15 18 will be for the text</p> <p>16 messages and emails and any</p> <p>17 other written communications</p> <p>18 between Andris Guzman and</p> <p>19 Leticia Stidhum.</p> <p>20 Demand Number 18 and the</p> <p>21 period is May of 2018 through</p> <p>22 January of 2019.</p> <p>23 Demand Number 18 will be</p> <p>24 for the call log of Andris</p> <p>25 Guzman, and specifically the</p>	<p style="text-align: right;">Page 95</p> <p>1 Andris Guzman</p> <p>2 time would be again May of</p> <p>3 2018 to January of 2019.</p> <p>4 I'm asking for all of the</p> <p>5 information other than the</p> <p>6 calls placed to plaintiff,</p> <p>7 the named defendants, the</p> <p>8 named defendants and the</p> <p>9 corporate representatives of</p> <p>10 the corporate defendants can</p> <p>11 be redacted. With respect to</p> <p>12 the individual defendants as</p> <p>13 well as the corporate</p> <p>14 representatives, all</p> <p>15 information prior to December</p> <p>16 of 2018 can also be redacted.</p> <p>17 Demand umber 19 would be</p> <p>18 the text messages and email</p> <p>19 communications between Andris</p> <p>20 Guzman and any of the named</p> <p>21 defendants, which includes</p> <p>22 the corporate representatives</p> <p>23 of the corporate defendants,</p> <p>24 and it would be text messages</p> <p>25 specifically by Leticia</p>
<p style="text-align: right;">Page 96</p> <p>1 Andris Guzman</p> <p>2 Stidhum on or about the terms</p> <p>3 that were included in the</p> <p>4 original document production</p> <p>5 responses. Certainly,</p> <p>6 pregnancy discrimination-</p> <p>7 related text messages.</p> <p>8 MR. KATAEV: Please</p> <p>9 follow-up in writing. Thank</p> <p>10 you.</p> <p>11 Q. Mr. Guzman, during this</p> <p>12 deposition, did you look at any notes or</p> <p>13 papers to assist you in responding to any of</p> <p>14 my questions?</p> <p>15 A. No.</p> <p>16 Q. During this deposition, except</p> <p>17 during on break, did you communicate with</p> <p>18 your attorney via text message or any other</p> <p>19 means?</p> <p>20 A. I don't have my phone with me.</p> <p>21 Q. While you were answering</p> <p>22 questions, from time to time you would look</p> <p>23 away from the screen; what were you looking</p> <p>24 at?</p> <p>25 MR. KATAEV: Objection.</p>	<p style="text-align: right;">Page 97</p> <p>1 Andris Guzman</p> <p>2 You can answer the question.</p> <p>3 A. Nothing specifically.</p> <p>4 Q. During such time, were you</p> <p>5 looking at any notes or any other written</p> <p>6 text messages?</p> <p>7 A. No.</p> <p>8 Q. Do you agree that during the</p> <p>9 remainder of this deposition, except for the</p> <p>10 documents that I'll be showing you on the</p> <p>11 screen, that you will not be reviewing any</p> <p>12 notes?</p> <p>13 A. Reviewing any notes? No. I</p> <p>14 wouldn't, I'm not reviewing any notes</p> <p>15 whatsoever.</p> <p>16 MS. TROY: Ms. Court</p> <p>17 reporter, let's mark the next</p> <p>18 exhibit, which should be</p> <p>19 Plaintiff's Exhibit 16.</p> <p>20 Let's also mark Plaintiff 17</p> <p>21 and Plaintiff's 18. Number</p> <p>22 18 will be the text messages</p> <p>23 between Andris Guzman and</p> <p>24 Leticia Stidhum. It is</p> <p>25 Defendants 1908 to 1961.</p>


<p style="text-align: right;">Page 98</p> <p>1 Andris Guzman</p> <p>2 (Plaintiff's Exhibit 17 and</p> <p>3 18 marked for</p> <p>4 identification.)</p> <p>5 Q. Mr. Guzman, do you recognize</p> <p>6 what I am showing you on this screen right</p> <p>7 now?</p> <p>8 A. Yes.</p> <p>9 Q. What do you recognize this to</p> <p>10 be?</p> <p>11 A. These are conversations through</p> <p>12 text.</p> <p>13 Q. You mentioned earlier that you</p> <p>14 were looking at some messages. Were these</p> <p>15 included in the text messages that you</p> <p>16 reviewed?</p> <p>17 A. Yes.</p> <p>18 Q. To your knowledge, is it true</p> <p>19 and accurate?</p> <p>20 A. What part?</p> <p>21 Q. Let's start from is this a true</p> <p>22 and accurate representation of the text</p> <p>23 messages that you have on your phone between</p> <p>24 yourself and Leticia?</p> <p>25 A. Based on what I see on the</p>	<p style="text-align: right;">Page 99</p> <p>1 Andris Guzman</p> <p>2 portion that I am being shown right now,</p> <p>3 yes. I am not able to see everything, so</p> <p>4 I'm not able to answer.</p> <p>5 Q. Is this the first time that you</p> <p>6 are seeing the text messages in the version</p> <p>7 that I am showing you on the screen; in</p> <p>8 other words as an extracted Decipher app?</p> <p>9 A. You are showing it to me in PDF,</p> <p>10 if I'm not mistaken?</p> <p>11 A. Right. The question is from the</p> <p>12 phone, it's going to look differently. So,</p> <p>13 my question is: have you ever seen this PDF</p> <p>14 format before?</p> <p>15 A. Not that I remember.</p> <p>16 Q. There are 13 pages to the text</p> <p>17 message and I'm going to scroll down. I'm</p> <p>18 asking you to just take a look at it and let</p> <p>19 me know after reviewing those 13 pages if it</p> <p>20 is a full and accurate representation of the</p> <p>21 text messages that you had between yourself</p> <p>22 and Leticia Stidhum?</p> <p>23 A. Okay.</p> <p>24 (The witness peruses)</p> <p>25 MS. TROY: Let's go off</p>
<p style="text-align: right;">Page 100</p> <p>1 Andris Guzman</p> <p>2 the record.</p> <p>3 (A discussion was held off</p> <p>4 the record)</p> <p>5 MS. TROY: I am showing</p> <p>6 the witness pages 1 through</p> <p>7 13 and I'm going to flip</p> <p>8 through them.</p> <p>9 Let the record reflect</p> <p>10 that it is the first 13 pages</p> <p>11 of this first exhibit Bates</p> <p>12 stamped D1708 through 2910</p> <p>13 and I am showing it to the</p> <p>14 witness right now to review.</p> <p>15 (The witness peruses)</p> <p>16 Q. Mr. Guzman, can you just review</p> <p>17 those 13 pages and when you are done let me</p> <p>18 know.</p> <p>19 I'm just asking you, yes or no, does</p> <p>20 this accurately reflect the text messages</p> <p>21 between you and Leticia on your phone.</p> <p>22 A. (The witness peruses)</p> <p>23 Yes. This reflects the information on the</p> <p>24 text messages.</p> <p>25 Q. Now, I am going to turn your</p>	<p style="text-align: right;">Page 101</p> <p>1 Andris Guzman</p> <p>2 attention to page 3 of Plaintiff's Exhibit</p> <p>3 18 which is also marked as defendant's</p> <p>4 document production D1910.</p> <p>5 A. Yes.</p> <p>6 Q. I'm going to draw your attention</p> <p>7 to the text message with the date and time</p> <p>8 of July 19th, 2018 at 11:39 a.m.</p> <p>9 A. Yes.</p> <p>10 Q. Does this refresh your</p> <p>11 recollection about whether Leticia Stidhum</p> <p>12 had access to Auto Funds?</p> <p>13 A. I'm not sure if she had access.</p> <p>14 I know that I never gave anyone access to</p> <p>15 the management tools.</p> <p>16 Q. To your knowledge, did she ever</p> <p>17 have access or obtain access to Auto Funds</p> <p>18 from you?</p> <p>19 A. Not from me.</p> <p>20 Q. How about anyone else?</p> <p>21 A. I wouldn't know.</p> <p>22 Q. I'm going to now direct your</p> <p>23 attention to page 5 which was also marked as</p> <p>24 defendant's document production D1912.</p> <p>25 Specifically, the date and time is December</p>

<p style="text-align: right;">Page 102</p> <p>1 Andris Guzman</p> <p>2 23rd of 2018 at 2:35 p.m. That was the last</p> <p>3 message on the page.</p> <p>4 A. Yes.</p> <p>5 Q. It says "do you want me to run</p> <p>6 the credit while you finish up my question</p> <p>7 for you?" Does it refresh your recollection</p> <p>8 about whether Leticia ever had access to</p> <p>9 Dealertrack?</p> <p>10 A. I never gave Leticia access to</p> <p>11 Dealertrack. I would not give -- I did not</p> <p>12 have the authority to give any management</p> <p>13 tools to salespersons, to salespeople.</p> <p>14 Q. Isn't it true that Leticia</p> <p>15 would've had to have access to Dealertrack</p> <p>16 in order to run the credit of the customer?</p> <p>17 A. Run the credit of the customer</p> <p>18 was part of the sales process of purchasing</p> <p>19 the vehicle. Only managers were supposed to</p> <p>20 have access to Dealertrack.</p> <p>21 Q. Is it true that only the</p> <p>22 managers are supposed to run the credit of</p> <p>23 the customers through the Dealertrack</p> <p>24 software?</p> <p>25 A. Correct, managers.</p>	<p style="text-align: right;">Page 103</p> <p>1 Andris Guzman</p> <p>2 Q. Isn't it true that at least for</p> <p>3 some time while you were working at Hillside</p> <p>4 Auto Outlet that Leticia was given that</p> <p>5 ability to run the credit on the Dealertrack</p> <p>6 software?</p> <p>7 MR. KATAEV: Objection.</p> <p>8 Asked and answered. You can</p> <p>9 answer it again.</p> <p>10 A. I never gave Leticia access to</p> <p>11 Dealertrack.</p> <p>12 Q. Right, but please focus on my</p> <p>13 question. My question is not if you gave</p> <p>14 Leticia access to Dealertrack personally.</p> <p>15 My question is if she would've had access to</p> <p>16 the Dealertrack system, if she had to have</p> <p>17 access to the DealerTrack system to run the</p> <p>18 credit of the customer.</p> <p>19 A. Not to my knowledge.</p> <p>20 Q. At any point, were you part of</p> <p>21 the announcement that Leticia gave at</p> <p>22 Hillside Auto announcing her pregnancy on</p> <p>23 the sales floor?</p> <p>24 MR. KATAEV: Objection.</p> <p>25 Asked and answered, you can</p>
<p style="text-align: right;">Page 104</p> <p>1 Andris Guzman</p> <p>2 answer it again.</p> <p>3 A. Can you repeat the question?</p> <p>4 MS. TROY: Ms. Court</p> <p>5 reporter, can you read back</p> <p>6 the last question.</p> <p>7 (The reporter read back the</p> <p>8 last question)</p> <p>9 A. I don't recall. I never recall</p> <p>10 ever hearing that she was pregnant.</p> <p>11 Q. When did you first find out that</p> <p>12 Leticia was pregnant?</p> <p>13 MR. KATAEV: Objection.</p> <p>14 Asked and answered. You can</p> <p>15 answer the question.</p> <p>16 A. I never got a confirmation that</p> <p>17 she was pregnant.</p> <p>18 Q. When you say that you "never got</p> <p>19 the confirmation," what does that mean?</p> <p>20 A. You are saying while she was at</p> <p>21 work, if I ever found out that she was</p> <p>22 pregnant? Was that the question?</p> <p>23 Q. Let's start from there, correct.</p> <p>24 A. That's what I'm saying, I never</p> <p>25 got that information that she was pregnant.</p>	<p style="text-align: right;">Page 105</p> <p>1 Andris Guzman</p> <p>2 Q. In other words, during your time</p> <p>3 at Hillside Auto Outlet you never knew that</p> <p>4 she was pregnant?</p> <p>5 A. Correct, I did not get that</p> <p>6 information. If anything, if I would -- it</p> <p>7 wouldn't have made a difference, I would've</p> <p>8 given her the same -- I would've given her</p> <p>9 the same treatment.</p> <p>10 MR. KATAEV: When the</p> <p>11 court reporter asks you to</p> <p>12 repeat it, she wants just the</p> <p>13 exact words, not an</p> <p>14 explanation.</p> <p>15 Q. What would you describe your</p> <p>16 treatment of Leticia Stidhum to be?</p> <p>17 A. Like everybody else, fair.</p> <p>18 Q. Was there ever a time when you</p> <p>19 prioritized the other car salespeople's</p> <p>20 information in terms of the financial</p> <p>21 information to input it into the Dealertrack</p> <p>22 system over Leticia's customers?</p> <p>23 A. I have always been fair when it</p> <p>24 comes to distribution and how I approach the</p> <p>25 customer. It is first come, first serve</p>

<p style="text-align: right;">Page 106</p> <p>1 Andris Guzman</p> <p>2 basis, no preference.</p> <p>3 Q. Was there ever a time when you</p> <p>4 prioritized other car salespeople's</p> <p>5 customers over Leticia's?</p> <p>6 A. No.</p> <p>7 MR. KATAEV: Objection.</p> <p>8 Asked and answered on that</p> <p>9 one.</p> <p>10 Q. Was there ever a time when you</p> <p>11 or Leticia were disciplined by Ishaque?</p> <p>12 A. Not that I recall.</p> <p>13 Q. Was there ever a time when</p> <p>14 Leticia Stidhum's customers would walk out</p> <p>15 as a result of a long wait time?</p> <p>16 A. I don't recall.</p> <p>17 Q. Do you recall if Leticia sold</p> <p>18 less cars in December and January as a</p> <p>19 result of the longer wait time?</p> <p>20 A. I don't recall the specific</p> <p>21 numbers. But, in this line of work, I'm</p> <p>22 going to add something, in terms of</p> <p>23 performance, in this line of work --</p> <p>24 MS. TROY: Let's just</p> <p>25 focus on my question, please.</p>	<p style="text-align: right;">Page 107</p> <p>1 Andris Guzman</p> <p>2 Q. My question is: between December</p> <p>3 of 2018 and January of 2019, yes or no, did</p> <p>4 Leticia Stidhum sell less cars?</p> <p>5 A. I don't recall, because people</p> <p>6 do not sell the same amount of cars every</p> <p>7 month. Everything is subject to change such</p> <p>8 as the holidays, the slower and faster</p> <p>9 seasons, not everybody sells the same amount</p> <p>10 of cars every month with the same numbers.</p> <p>11 Q. Between December of 2018 and</p> <p>12 January of 2019, did Ms. Stidhum, Leticia</p> <p>13 Stidhum constantly call your attention to</p> <p>14 how long the customers would need to wait?</p> <p>15 A. I don't recall, but it was a</p> <p>16 known fact that everybody had to wait</p> <p>17 because there is a long waiting process to</p> <p>18 purchase a vehicle.</p> <p>19 Q. At the time, did the car</p> <p>20 salespeople include David Manrique, David</p> <p>21 Parsons and Sean or Shane?</p> <p>22 A. I remember those names, they did</p> <p>23 work at Hillside Auto.</p> <p>24 Q. Were you ever disciplined by</p> <p>25 Hillside Auto Outlet?</p>
<p style="text-align: right;">Page 108</p> <p>1 Andris Guzman</p> <p>2 A. I was never disciplined, no. I</p> <p>3 don't recall, but I used to do my job the</p> <p>4 right way. So, I did not.</p> <p>5 Q. As part of this litigation</p> <p>6 process your attorney provided some</p> <p>7 responses. We're going to go over some of</p> <p>8 those responses.</p> <p>9 Before I do that, I just have a couple</p> <p>10 of questions for you. Number 1, did you</p> <p>11 review the responses to the Interrogatories,</p> <p>12 both the original and the supplemental</p> <p>13 Interrogatories before you signed?</p> <p>14 A. Yes, I believe I reviewed them</p> <p>15 with Deana.</p> <p>16 Q. When did you review them with</p> <p>17 Deana?</p> <p>18 A. I don't remember the first time.</p> <p>19 Q. Was it this year?</p> <p>20 MR. KATAEV: Objection.</p> <p>21 Asked and answered. You can</p> <p>22 answer the question.</p> <p>23 A. Sometime last year and I don't</p> <p>24 remember the specific time. I would be</p> <p>25 lying to you, I don't remember.</p>	<p style="text-align: right;">Page 109</p> <p>1 Andris Guzman</p> <p>2 Q. To your knowledge, is everything</p> <p>3 in the Interrogatories and supplemental</p> <p>4 Interrogatories correct?</p> <p>5 A. In the litigation documents, if</p> <p>6 the answers that were provided -- if the</p> <p>7 answers are correct, is that the question?</p> <p>8 Q. Yes.</p> <p>9 A. Based on my knowledge, what I</p> <p>10 reviewed, the answers are correct on the</p> <p>11 litigation.</p> <p>12 Q. Do you have any knowledge about</p> <p>13 the ownership shares of Hillside Auto Outlet</p> <p>14 and Hillside Auto Mall?</p> <p>15 A. Yes, it was included in the</p> <p>16 documents.</p> <p>17 Q. What is your basis of that</p> <p>18 knowledge?</p> <p>19 MR. KATAEV: Objection to</p> <p>20 the form. You can answer.</p> <p>21 A. The basis of the knowledge is</p> <p>22 when the documents were shown to me, it had</p> <p>23 information related to who were the owners</p> <p>24 of the company.</p> <p>25 Q. In other words, did you review</p>

<p style="text-align: right;">Page 110</p> <p>1 Andris Guzman</p> <p>2 additional documents to ascertain the</p> <p>3 responses that were given, if they were true</p> <p>4 and accurate?</p> <p>5 A. Can you repeat that again?</p> <p>6 MS. TROY: Ms. Court</p> <p>7 reporter, can you read back</p> <p>8 the last question.</p> <p>9 (The reporter read back the</p> <p>10 last question)</p> <p>11 A. If I reviewed any additional</p> <p>12 documents to make sure that it was accurate,</p> <p>13 is that your question?</p> <p>14 Q. Yes.</p> <p>15 A. There was a lot of documents</p> <p>16 that I saw, but I am not too specific. I am</p> <p>17 not too sure of the documents that you might</p> <p>18 be looking for. I don't know.</p> <p>19 MS. TROY: Let's mark Plaintiffs 19.</p> <p>20 (Plaintiffs Exhibit 19 marked</p> <p>21 for identification)</p> <p>22 Q. Mr. Guzman, do you recognize</p> <p>23 this signature as yours?</p> <p>24 A. Yes.</p> <p>25 Q. As part of the responses that</p>	<p style="text-align: right;">Page 111</p> <p>1 Andris Guzman</p> <p>2 were provided, there were additional</p> <p>3 responses called "responses to document</p> <p>4 production requests," as well as</p> <p>5 supplemental responses to document</p> <p>6 production requests. Did you review those</p> <p>7 documents as well?</p> <p>8 A. Yes.</p> <p>9 Q. Did you review the documents</p> <p>10 produced as part of the responses to the</p> <p>11 document production requests?</p> <p>12 MR. KATAEV: Objection.</p> <p>13 You can answer the question.</p> <p>14 A. If I reviewed the documents? I</p> <p>15 reviewed some documents, yes.</p> <p>16 Q. As part of the documents that</p> <p>17 you reviewed, did they include any pay stubs</p> <p>18 of the plaintiff?</p> <p>19 A. Pay stubs?</p> <p>20 Q. Correct.</p> <p>21 A. I don't recall seeing pay stubs.</p> <p>22 Q. Do you remember seeing records</p> <p>23 on a month-to-month basis of the dealerships</p> <p>24 aggregate number of cars sold as part of the</p> <p>25 documents?</p>
<p style="text-align: right;">Page 112</p> <p>1 Andris Guzman</p> <p>2 A. I don't understand your</p> <p>3 question.</p> <p>4 Q. So, do you recall that there was</p> <p>5 a document produced, and my question is: do</p> <p>6 you recall seeing the aggregate number of</p> <p>7 cars sold on a monthly basis as part of the</p> <p>8 documents that were produced; it's a yes or</p> <p>9 no question?</p> <p>10 A. No, I don't recall seeing that.</p> <p>11 Q. How about the VIN Solutions</p> <p>12 records, meaning the internal records kept</p> <p>13 by the Business Development Center as well</p> <p>14 as entered in by the car salespeople with</p> <p>15 respect to the cars sold at Hillside Auto</p> <p>16 Outlet; do you recall seeing those</p> <p>17 documents?</p> <p>18 A. Not a specific document.</p> <p>19 Q. Do you recall if Ms. Stidhum was</p> <p>20 owed any wages at the time when she left</p> <p>21 Hillside Auto?</p> <p>22 A. I didn't control payments or the</p> <p>23 money.</p> <p>24 MS. TROY: Mr. Guzman,</p> <p>25 thank you very much for your</p>	<p style="text-align: right;">Page 113</p> <p>1 Andris Guzman</p> <p>2 time. This deposition stands</p> <p>3 adjourned.</p> <p>4 [Time noted: 2:02 p.m.]</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

Page 114				Page 115			
1				1			
2	WITNESS	EXAMINATION BY	PAGE	2	REQUESTS		
3	Mr. Guzman	Ms. Troy		3	Number	Description	PAGE
			6	4	18	Demand No. 18 is:	94
4		PLAINTIFF EXHIBITS		5		MS. TROY: For the call	
5	Number	Description	PAGE	6		log of Andris Guzman, and	
6				7		specifically the time would	
7	Ex 16	Photo I.D.	6	8		be again May of 2018 to	
8		(Deemed marked)		9		January of 2019.	
9	Ex 17	(Text Messages)	97	10		I'm asking for all of the	
10	Ex 18	Document Production D1910	101	11		information other than the	
11	Ex 19	Verification- Guzman	110	12		calls placed to plaintiff,	
12				13		the named defendants,	
13				14		the named defendants and	
14				15		the corporate representatives	
15				16		of the corporate defendants	
16				17		can be redacted. With respect	
17				18		to the individual defendants	
18				19		as well as the corporate	
19				20		representatives, all	
20				21		information prior to December	
21				22		of 2018 can also be redacted.	
22				23	19	Demand No. 19 is:	95
23				24	MS. TROY:	The text messages	
24				25		and email communications	
25							
Page 116				Page 117			
1				1			
2		between Andris Guzman		2	QUESTIONS MARKED FOR A RULING: PAGE/LINE		
3		and any of the named		3		(None)	
4		defendants, which includes		4			
5		the corporate representatives		5			
6		of the corporate defendants,		6			
7		and it would be text messages		7			
8		specifically by Leticia Stidhum		8			
9		on or about the terms that were		9			
10		included in the original		10			
11		document production responses.		11			
12		Certainly, pregnancy		12			
13		discrimination-related		13			
14		text messages.		14			
15				15			
16				16			
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23				23			
24				24			
25				25			

1
2 CERTIFICATE
3 STATE OF NEW YORK)
4)s.s.
5 COUNTY OF NASSAU)
6
7 I, LYNN LUCKMAN, a Shorthand
8 Reporter and Notary Public within and for
9 the State of New York, do certify that;
10 THAT the witness whose deposition
11 is hereinbefore set forth, was duly sworn by
12 me, and that such deposition is a true
13 record of the testimony given by such
14 witness.
15 I further certify that I am not
16 related to any of the parties to this action
17 by blood or marriage; that I am in no way
18 interested in the outcome of this matter.
19 IN WITNESS WHEREOF, I have
20 hereunto set my hand this 20th day of March,
21 2023.
22 
23 _____
24 LYNN LUCKMAN
25

1 Errata Sheet
2
3 NAME OF CASE: LETICIA FRANCINE STIDHUM -against- 161-10 HILLSIDE AUTO AVE, LLC
4 DATE OF DEPOSITION: 03/09/2023
5 NAME OF WITNESS: ANDRIS GUZMAN
6 Reason Codes:
7 1. To clarify the record.
8 2. To conform to the facts.
9 3. To correct transcription errors.
10 Page ____ Line ____ Reason ____
11 From _____ to _____
12 Page ____ Line ____ Reason ____
13 From _____ to _____
14 Page ____ Line ____ Reason ____
15 From _____ to _____
16 Page ____ Line ____ Reason ____
17 From _____ to _____
18 Page ____ Line ____ Reason ____
19 From _____ to _____
20 Page ____ Line ____ Reason ____
21 From _____ to _____
22 Page ____ Line ____ Reason ____
23 From _____ to _____
24
25